

## COUNCIL MEETING

AUGUST 19, 2015

The Council Meeting of the Council of the County of Kaua'i was called to order by Council Chair Mel Rapozo at the Council Chambers, 4396 Rice Street, Suite 201, Lihu'e, Kaua'i, on Wednesday, August 19, 2015 at 8:32 a.m., after which the following Members answered the call of the roll:

Honorable Gary L. Hooser  
Honorable Ross Kagawa  
Honorable Arryl Kaneshiro  
Honorable KipuKai Kuali'i (*present at 10:54 a.m.*)  
Honorable JoAnn A. Yukimura (*present at 9:01 a.m.*)  
Honorable Mel Rapozo

Excused: Honorable Mason K. Chock

### APPROVAL OF AGENDA.

Councilmember Kagawa moved for approval of the agenda as circulated, seconded by Councilmember Kaneshiro, and carried by a vote of 4:0:3 (*Councilmembers Chock, Kuali'i, and Yukimura were excused*).

### MINUTES of the following meetings of the Council:

July 15, 2015 Public Hearing re: Bill No. 2590

Councilmember Kagawa moved to approve the Minutes as circulated, seconded by Councilmember Kaneshiro, and carried by a vote of 4:0:3 (*Councilmembers Chock, Kuali'i, and Yukimura were excused*).

### INTERVIEW:

#### 1. PLANNING COMMISSION:

- Roy K. Ho (Labor) – Term ending 12/31/2017

Council Chair Rapozo: Mr. Ho, you may come up and have a seat. With no objections, I will suspend the rules. Thank you for being here today and offering your services to serve on the Planning Commission. We will first start off with you stating your name for the record, and then giving us a brief overview of yourself. I will open it up for questions afterwards.

There being no objections, the rules were suspended.

ROY K. HO: My name is Roy Ho. Good morning Council Chair and Members of the Council. *Aloha kakahiaka*. Do you want to hear my background or something about my youth? Do I just start with anything?

Council Chair Rapozo: Yes, basically your background and your reasons for wanting to serve on the Commission.

Mr. Ho: Okay. I am close to seven (7) decades old, so I can tell you that I was born and raised on O'ahu. I had private Catholic education and graduated from St. Louis School in 1965. I also did military service. I had to pay for my education in college, so I went into the hotel industry where I was lucky enough to be posted in Maui for six (6) to seven (7) years. The explosion of tourism began and I got posted here to Kaua'i where I met a Kaua'i girl and married her. The thing with the hotel industry is that you have to be posted if you want to get ahead, so this was the time for me to settle down and enjoy something in life. I could not pay for what I wanted by just working in the hotel, so the only way I could afford a home or get a home was to get into the labor industry and do it for myself. I became a carpenter and built my home. I have been in the industry for over twenty (20) plus years and retired from them. For about six (6) to seven (7) years now, I have been out of it and have been enjoying being a grandfather and babysitting. It is the best ride that I have had in a long time. That brings me to present. I would like to serve because I truly believe that if you are asked and you are able to, you should give time back to the community. Volunteerism really strengthens us; you, the government; and the community. It gives you an idea of maybe what is out there and what they are thinking about. If I get a chance to sit on the Commission, it is because I want to understand what they do, the scope of their responsibility, and what impact they have on the island itself. I believe that knowledge is strength and I need to understand this, their function, and what they are doing out there for us. Maybe it is just a central thing, but I think if you give me an opportunity, I might be able to speak to a few other people that might not understand and could have an understanding of what they do. I really, truly want to protect right-of-ways, both to the mountain and to the ocean. I think it is paramount that people that have connection to the land are able to enjoy and get to it. Maybe they gather, they hunt or fish, or pray. They should be protected. I understand private ownership, but the greater good is out there for the people and I wish to protect that greater good. I believe in the great American dream where you work hard, own your own home, educate your kids, and then you retire. I think that is pretty well shattered. Maybe only the rich can do it now. I want to give the next generation a chance for one leg of that, homeownership; trying to get them something that they can hang onto for the rest of their lives. That brings me to the conclusion of my speech here. I thank you for your time.

Council Chair Rapozo: Thank you, Mr. Ho. Any questions for Mr. Ho? That was a good speech. We have no questions. Oh, I am sorry, Councilmember Hooser.

Councilmember Hooser: I am not sure if I have a question or not, but I wanted to acknowledge you for putting yourself out there for our community and thank you for being willing to do the work. It is a lot of work. Are you familiar with the amount of hours that Planning Commissioners put in?

Mr. Ho: I am a novice to this. No, I am not familiar with it. I know they have some giant responsibilities.

Councilmember Hooser: I would hope that the Administration has briefed you on the responsibilities, the time, and that kind of thing.

Mr. Ho: Yes, they have. Is that a warning?

Councilmember Hooser: I think it is a warning because some people find out that this particular responsibility takes too much time, but I am inspired by your words and by the reasons you put down in writing why you want to serve on the Commission. It is my pleasure to support you in this endeavor and wish you good luck.

Mr. Ho:

Thank you

Council Chair Rapozo: Thank you. Anyone else? Mr. Ho, thank you for being here today. Like Mr. Hooser, I am inspired. I think two (2) of the things that you talked about like protecting the traditional accesses and keeping that for our residents and visitors, and then of course homeownership for our kids. I have two (2) kids who are adults already. One is living in Oregon now, because he obviously cannot afford. My daughter is in that period where she is looking around to see what she can find. Even rentals now are difficult for them. They are both full-time employees, but it is just difficult. What I am really excited about is that you bring two (2) different industries. You bring the visitor industry background and the construction industry background. Often times in the Planning Commission you will see a lot of opposition to both of those industries because of development, so I am very excited that you have the background and the knowledge. Councilmember Hooser is correct; it does take some time. I think you will find that it is good time, quality time. You talked about giving back to the community and every second that you spend will be giving back to the community, so I really look forward to your position there. Obviously, I am sure you will be appointed to that post and I am looking forward to your contributions to our Planning Department and the Planning Commission. Thank you for being here today.

Mr. Ho:

Thank you.

Council Chair Rapozo: Any public testimony regarding this interview? If not, can we move onto the next item, please?

#### CONSENT CALENDAR:

C 2015-217 Communication (08/03/2015) from Councilmember Kuali'i, providing written disclosure of a possible conflict of interest and recusal, relating to the Fiscal Year 2014 Edward J. Byrne Memorial Justice Assistance Grant (JAG) to fund the Sex Assault Prosecuting Unit for the Office of the Prosecuting Attorney, due to his employment with the YWCA of Kaua'i: Councilmember Kagawa moved to receive C 2015-217 for the record, seconded by Councilmember Kaneshiro.

C 2015-218 Communication (08/03/2015) from Councilmember Yukimura, providing written disclosure of a possible conflict of interest and recusal, relating to C 2015-212, a request for approval of the license agreement between the County of Kaua'i and the Boys & Girls Club of Hawai'i, for three (3) portables and a portion of the grounds immediately surrounding the portables located at the Kaua'i Memorial Convention Hall in Lihu'e, as she is on the Kaua'i Advisory Board for the Boys & Girls Club of Hawai'i: Councilmember Kagawa moved to receive C 2015-218 for the record, seconded by Councilmember Kaneshiro.

C 2015-219 Communication (08/03/2015) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointee Roy K. Ho to the Planning Commission (Labor) for the County of Kaua'i – Term ending 12/31/2017:

Councilmember Kagawa moved to receive C 2015-219 for the record, seconded by Councilmember Kaneshiro.

C 2015-220 Communication (08/05/2015) from the Director of Finance, transmitting for Council consideration, a Proposed Draft Bill to amend Ordinance No. B-2015-796, as amended, relating to the Operating Budget of the County of Kaua'i, State of Hawai'i, for the Fiscal Year July 1, 2015 to June 30, 2016, to address the transfer as recommended by the Vacancy Review Committee, of the Abandoned/Derelict Vehicle Coordinator position from the Department of Public Works, Solid Waste Division (Solid Waste Fund) to the Kaua'i Police Department (General Fund), inclusive of salary, wages, associated benefits, and services related to vehicle towing. (*Kaua'i Police Department, Abandoned/Derelict Vehicle Coordinator – \$140,122.00*): Councilmember Kagawa moved to receive C 2015-220 for the record, seconded by Councilmember Kaneshiro.

C 2015-221 Communication (08/11/2015) from Councilmember Kualii, transmitting for Council consideration, a Resolution Supporting Economic Justice For Hawai'i's Working Families: Living Wage, Paid Sick Leave, Paid Family And Medical Leave, And Right To Organize: Councilmember Kagawa moved to receive C 2015-221 for the record, seconded by Councilmember Kaneshiro.

Council Chair Rapozo: Thank you. Just for the Members' information, we will be receiving all of the Communications, but I will be asking that C 2015-223...I am sorry...I take that back...I am going to ask that we take C 2015-223 and C 2015-226 out and refer that to the Committee for discussion. I think that during the budget session, we did ask the Prosecutor's Office for statistics, as far as what they were doing and they did not provide it. I think as more and more of these requests come through, I think it is time that the Council is briefed on some of the statistics. One of these items, C 2015-223, is requesting to create a new unit. I understand that it is grant funds, but I just want to get a better understanding of what is going on, especially with the statistics. If there is no problem with that, I would like to make that request. Councilmember Hooser.

Councilmember Hooser: Neither of those is on the Consent Calendar, so I think we are okay.

Council Chair Rapozo: They are not?

Councilmember Hooser: They do not appear to be.

Council Chair Rapozo: Okay. Sorry about that. I saw that Ed Byrne's Memorial Justice Assistance Grant, but I take that back. Those comments will be carried over to the next item.

Councilmember Kagawa: I guess my process question is is the plan to have the Prosecuting Attorney here when the item comes up or when it goes to Committee?

Council Chair Rapozo: When it goes to the Committee.

Councilmember Kagawa: Okay. That is fine.

Council Chair Rapozo: Obviously, if we can get the support of the Council to get it to Committee. Any discussion on the Consent Calendar?

The motion to receive C 2015-217, C 2015-218, C 2015-219, C 2015-220, and C 2015-221 for the record was then put, and carried by a vote of 4:0:3 (*Councilmembers Chock, Kuali'i, and Yukimura were excused*).

SCOTT K. SATO, Deputy County Clerk: Chair, do you want to skip C 2015-222 as we are waiting for the information from Elderly Affairs?

Council Chair Rapozo: Yes, the Office on Elderly Affairs is coming across with a current spreadsheet with the numbers, so we will wait for them to arrive, and then we will take that item up.

Mr. Sato: That takes us to the top of page 3, C 2015-223.

There being no objections, C 2015-223 was taken out of order.

### COMMUNICATIONS:

C 2015-223 Communication (07/30/2015) from the Prosecuting Attorney, requesting Council approval to receive and expend Federal funds in the amount of \$163,000, and approval to indemnify the State of Hawai'i, Department of the Attorney General, for the Sex Assault Prosecution Unit, for the period of January 1, 2016 through December 31, 2016, to create a Sex Assault Prosecution Unit, which will consist of a 0.90 Full Time Equivalent (FTE) Special Prosecuting Attorney and 1.00 FTE Legal Clerk, as well as training, an increase in the contract with the YWCA Sexual Assault Treatment Program, supplies, and equipment: Councilmember Kagawa moved to refer C 2015-223 to the August 26, 2015 Budget & Finance Committee Meeting, seconded by Councilmember Kaneshiro.

Council Chair Rapozo: Any discussion? Any public testimony?

The motion to refer C 2015-223 to the August 26, 2015 Budget & Finance Committee Meeting was then put, and carried by a vote of 4:0:3 (*Councilmembers Chock, Kuali'i, and Yukimura were excused*).

Council Chair Rapozo: Thank you. Next item, please.

C 2015-224 Communication (07/31/2015) from the Executive on Transportation, requesting Council approval to receive, indemnify, and expend the annual apportionment of Federal Transit Administration (FTA) Section 5339 grant funds, in the amount of \$415,833, for the following capital purchases: to fund the cost of buses, transit facility repair and renovation, and maintenance shop equipment: Councilmember Kagawa moved to approve C 2015-224, seconded by Councilmember Kaneshiro.

Council Chair Rapozo: Discussion? Public testimony?

The motion to approve C 2015-224 was then put, and carried by a vote of 4:0:3 (*Councilmembers Chock, Kuali'i, and Yukimura were excused*).

Mr. Sato: The next item will be taken at 11:30 a.m., so we are now on C 2015-226.

There being no objections, C 2015-226 was taken out of order.

C 2015-226 Communication (08/03/2015) from the Prosecuting Attorney, requesting Council approval to receive and expend Federal funds in the amount of \$95,535, and approval to indemnify the State of Hawai'i, Department of the Attorney General, for Ke 'Ahi Pio'ole, also known as the Cold Case Unit, for the period of January 1, 2016 to December 31, 2016, to continue the work involved in solving the island's cold cases. The funding will be utilized for consultants, overtime for Kaua'i Police Department Detectives and the Office of the Prosecuting Attorney's Special Investigators, training, travel for interviews, DNA submission, digital photographs and/or transcripts, and office supplies: Councilmember Kagawa moved to refer C 2015-226 to the August 26, 2015 Budget & Finance Committee Meeting, seconded by Councilmember Kaneshiro.

Council Chair Rapozo: Discussion? Public testimony?

The motion to refer C 2015-226 to the August 26, 2015 Budget & Finance Committee was then put, and carried by a vote of 4:0:3 (*Councilmembers Chock, Kualii, and Yukimura were excused*).

Council Chair Rapozo: Next item.

C 2015-227 Communication (08/11/2015) from Councilmember Kualii, requesting agenda time to discuss and approve for inclusion in the 2016 County of Kaua'i and Hawai'i State Association of Counties (HSAC) Legislative Packages, a proposed amendment to Section 387-2, Hawai'i Revised Statutes (HRS), that would increase Hawai'i's statewide minimum wage to \$15.00, effective January 1, 2019.

Mr. Sato: We have one (1) registered speaker,  
Mr. Anthony Aguiar.

Councilmember Kagawa: I have a question. Is this a motion to approve or receive?

Council Chair Rapozo: This would be a motion to approve. Councilmember Kualii is asking for time to discuss...we are not going to take action obviously until Councilmember Kualii arrives, but we will take public testimony. The request is to discuss and approve for inclusion, so if we approve, the Resolution does go into the Hawai'i State Association of Counties (HSAC) Package.

Councilmember Kagawa: I guess my question is would it not be more efficient to discuss everything one time, rather than three (3) times? The Resolution has the same information as these Communications, right?

Council Chair Rapozo: Correct. The Communication can be received, but if the public is here and wishing to testify on the matter in Councilmember Kualii's absence, that is fine as well. Councilmember Hooser.

Councilmember Hooser: It seems like the request is for agenda time.

Council Chair Rapozo: Correct.

Councilmember Hooser: We are not approving the items to go on the HSAC agenda. The staff is saying that we are.

Council Chair Rapozo: Yes. If you read C 2015-227, it says "requesting agenda time to discuss and approve for inclusion" in the HSAC package. For C 2015-227 and C 2015-228, he is asking for these items to be included into the package.

Councilmember Hooser: But there is another item that actually specifies those three (3) items. There is another item we can vote to approve on that will actually put them on the agenda. Can we receive this? I will let the Chair and staff work this out.

Council Chair Rapozo: For C 2015-227 and C 2015-228, the Communications include the Resolution. It is a request for HSAC to do a resolution, so it is not...

Councilmember Hooser: So the motion is to approve and if we vote to approve, then it is on.

Council Chair Rapozo: Correct. Well, it goes to HSAC requesting that HSAC include it.

Councilmember Hooser: Right.

Council Chair Rapozo: Then HSAC would have to unanimously support it for it to become on the HSAC Package.

Councilmember Hooser: I am supportive. I am just wondering about the process.

Council Chair Rapozo: Councilmember Kagawa.

Councilmember Kagawa: Staff has informed me to be clear that the C 2015-227 and C 2015-228 are to approve for inclusion in the HSAC package, and then Resolution No. 2015-57 is just a County Council resolution.

Council Chair Rapozo: Correct.

Councilmember Kagawa: These are really separate things, but I guess what I was asking for is that we have Councilmember Kualii have the time he needs, because I think all of us are kind of caught by surprise a little bit with this Resolution. We should discuss everything one time, and then we can decide if we are ready to vote to approve or what have you. At this point, I kind of want to hear the presentation before I approve something before I even know about it.

Council Chair Rapozo: That is why I said that we are not going to take any action until Councilmember Kualii is here because he obviously has a lot to say and I want to give him that opportunity. He requested that HSAC include a couple of these items in the HSAC Legislative Package or to create an HSAC resolution, which is a "Hawai'i State Association of Counties" resolution. The final item, which we see in the Resolution on the agenda, is that he wants a Council resolution passed. Councilmember Hooser.

Councilmember Hooser: I have a process question. What is the timeframe for getting it on the HSAC agenda? Is it urgent? The reason I am asking is because I think it would be good if all of us were here to discuss this.

Council Chair Rapozo: We have time.

Councilmember Hooser: Okay. My preference would be that we have a full Council because I think these are important items and I would like to have a robust discussion on it.

Councilmember Kagawa: My other question for you, the "HSAC Master," is so if Kaua'i approves that Kaua'i County wants it in the HSAC Package, how does it get on the HSAC Package? Does it need a unanimous vote of all Counties? What is the next step?

Council Chair Rapozo: It will be placed on the HSAC agenda. If it passes this month, it would be on for the September meeting, and then HSAC will discuss it; the four (4) member counties will discuss it, and it requires four (4) votes. It requires unanimous consent for it to pass. I am curious to hear from Councilmember Kualii because I am not sure what his timetable is, but I agree with Councilmember Hooser that it is of that importance that we should probably have everybody present. Councilmember Kaneshiro.

Councilmember Kaneshiro: I was just going to ask that when it goes to HSAC, I do not think I have seen anything that we had to vote on for HSAC come through, but if it goes to HSAC, then do just the HSAC Members vote on it if they want it in their package? Does it go back to the other counties to say, "Yes, we want this?"

Council Chair Rapozo: Unbelievably, it does.

Councilmember Kaneshiro: Okay, so every county has the opportunity to vote on it too, and then it goes back to HSAC.

Council Chair Rapozo: Yes, it is a long process. The counties vote, it goes to HSAC, and then HSAC puts it together and they vote. Whatever is remaining that all four (4) agree comes back to the counties once again. It is a long process, but it assures that they get the unanimous consent. Anymore questions? Can we have the first speaker? I will suspend the rules with no objections.

Mr. Sato: Chair, the first registered speaker is Anthony Aguiar, followed by Ken Taylor.

There being no objections, the rules were suspended.

ANTHONY AGUIAR: My name is Anthony Aguiar. I live in Waimea, on the west side. I was born and raised on the island of Kaua'i. I left because my parents went to O'ahu, and then I came back. I have been dealing with politics since I got out of the Army. I have been on this island and I worked for Ariyoshi, Waihe'e, and Cayetano. I have observed these political situations and I have this statement to make about resolutions, not this Resolution in general, because I favor it, but resolutions in general. The Magna Carta was a political ploy hailed as a protector of the poor, a lot like this Resolution. It is here only to waste our time and make our Council look good in the public eye. A resolution means



nothing. It carries no weight. It is only here as a “feel-good moment,” unlike a law. A resolution is as powerful as a couple...this talks about the resolution and want we want in it...as a couple that it is drowning in the death from the State minimum wage policy, where a family of four (4) with two (2) working members making a combined income of seventeen dollars and forty cents (\$17.40) an hour. That is considering it is eight dollars and seventy-five cents (\$8.75) an hour. I really do not know what the minimum wage is. With a gross income of thirty-six thousand one hundred ninety-two dollars (\$36,192), a take home pay would be twenty-seven thousand five hundred five dollars and ninety-two cents (\$27,505.92); a monthly income of two thousand two hundred ninety-two dollars and sixteen cents (\$2,292.16). What we are asking for are basic human rights that a person working at any job is entitled to. Another human rights revolution occurred when an aristocrat said, “Let them eat cake.” We all know what happened to Marie Antoinette’s head. That was a true rights revolution that went on for ten (10) years. The very start came because people’s rights were ignored, and that is what you folks are doing now, ignoring us. The rights to equal pay for equal work. The right to an acceptable housing on the island of O’ahu rental for a three (3) bedroom house hovers at two thousand four hundred dollars (\$2,400) a month. In Kekaha, the same house rents for one thousand nine hundred dollars (\$1,900) a month. The rights of a living wage is very important today, as it was back 10<sup>th</sup>, 12<sup>th</sup>, and 15<sup>th</sup> in England or 1789 in France. The slogan, “Taxation without representation” went up in Boston Harbor, which was called the “Boston Tea Party” where a document that was produced that begins with “We the People of the United States in order to form a more perfect union that established justice, ensured domestic tranquility, provide for the common defense, promote general welfare, and secure the blessings of liberty to ourselves and our prosperity.” That means everybody else that comes with us.

Council Chair Rapozo: Excuse me, that was your first three (3) minutes, so I have to stop you there. You can come back for a second round after everyone has spoken.

Mr. Aguiar: Okay.

Council Chair Rapozo: Thank you, Sir.

Mr. Aguiar: Let me know because I am not finished.

Council Chair Rapozo: Yes.

Mr. Sato: The next speaker is Ken Taylor, followed by Raymond Catania.

Councilmember Kagawa: In following this process, my thing was that are we going to allow six (6) minutes for every topic? It all applies to the Resolution, right?

Council Chair Rapozo: Yes. I think the prior speaker spoke for all. I am not sure on the rest, but yes, they do have the right to speak on every item.

KEN TAYLOR: Chair and Members of the Council, my name is Ken Taylor. I certainly agree with the comments from the previous speaker and I stand in support of this measure of sending this on. We talk a lot about affordable housing, but everything has gone up tremendously in the last thirty (30) to forty (40) years of my life and minimum wage has not kept up with increases in costs. I

think it is time that we really look at the situation. Unfortunately, even fifteen dollars (\$15) an hour does not cut it for making thirty percent (30%) of your income available for housing here on the island, but it is a good start and I think it is very important to support this and move it forward. Thank you.

Council Chair Rapozo: Thank you. Next speaker.

Mr. Sato: Our last registered speaker is Raymond Catania.

RAYMOND CATANIA: Good morning. I support what KipuKai is trying to do, the intent of it. My name is Raymond Catania. I live in Puhi and I am retired from the State of Hawai'i after twenty-two (22) years. I was a member of United Public Workers (UPW) and Hawai'i Government Employees Association (HGEA) during that time. Anyway, I am working with a group called "Kaua'i Fights for Fifteen" which Mr. Aguiar is helping on. He is from the west side. What we found is that a great majority of people that we talked to door-to-door in Puhi and Hanamā'ulu, sections of the west side like 'Ele'ele, Līhu'e, and Kapa'a, is that they agree with the intent of what KipuKai is trying to do with raising the minimum wage to fifteen dollars (\$15) an hour, sick leave, family leave, and reiterating and reaffirming that we do have the right to organize unions. I support these two (2) Communications that he has. You guys are trying to explain the process, but it is kind of difficult to understand that. I also support the Resolution as well. The thing is that it is a growing movement nationally. We have our Congressional Delegation of Tulsi Gabbard, Brian Schatz, and Mazie Hirono supporting the fifteen dollars (\$15). We also had HGEA just come out recently and Randy Perreira coming out and supporting the Fight for Fifteen. The "ALF-CIO," which is the "American Federation of Labor and Congress of Industrial Organizations (ALF-CIO)," is discussing it. We have Local 5, the hotel workers' union, that supports it. We know that the International Longshore and Warehouse Union (ILWU) is looking at it right now. A lot of people in Hawai'i are suffering, as you already know. We need some relief in order for us to survive in this pretty high cost of living land. I wanted to bring this up to you that it is a growing movement and people are pretty much in support of something like this and we need this relief. *Mahalo*.

Council Chair Rapozo: Councilmember Kagawa.

Councilmember Kagawa: I was kind of reading it a little fast, but you are working on that committee that is in this race for fifteen dollars (\$15).

Mr. Catania: Yes.

Councilmember Kagawa: How much states have approved of this?

Mr. Catania: I am glad you brought that up. The City of Seattle has approved it. New York State has approved it. New York City already has a plan. Los Angeles just recently approved it. The Amalgamated Bank, which is on the east coast and in sections of the Midwest, have approved it. It is beginning to grow. Bernie Sanders and Hillary Clinton is talking about it.

Councilmember Kagawa: So with the actual states, there are about three (3).

Mr. Catania: Yes, Seattle, which is a city, and then New York City, New York State, and the City of Los Angeles so far have approved it.

Councilmember Kagawa: Okay. Thank you.

Mr. Catania: Thank you.

Council Chair Rapozo: Thank you, Mr. Catania. Any other speakers for the first time? If not, Mr. Aguiar, you may come back up.

Mr. Aguiar: Thank you very much for letting me come back. Next time I will try to keep it under three (3) minutes, even though I doubt that will happen. Why am I here? Why am I talking to you people? The preamble of the Constitution says it all, "We the People," not "We the Corporations." You know what is right and you know what is wrong. Again, I say that this Resolution is nothing more than sandbagging the people working in the State of Hawai'i at the minimum wage law. The most powerful statement for people's rights comes when President Abraham Lincoln at the dedication of the soldiers' National Cemetery at Gettysburg. He said at the end of the Gettysburg address, "That government of the people, by the people, for the people shall not perish from this earth." President Lincoln did not say, "All the lobbyists, by the lobbyists, and for the corporations." President Lincoln said that the people controlled the government, as such, have rights to these and these rights include a living wage, life, liberty, and the pursuit of happiness. Have you folks forgotten that? Everybody wants to have a pursuit of happiness. How can any family of four (4) participate in the pursuit of happiness when all they can make is two thousand two hundred ninety-two dollars (\$2,292) a month. I know—four (4) can live as cheaply as two (2), as long as two (2) go naked and two (2) starves. So who starves and who goes naked? The males? The females? The parents? The children? Children eat less, so a little less will be okay. What about schooling and cognitive ability? Will that be impaired? It is shown that it does. My whole statement, this statement, is about human rights. You folks have missed the point. It is human rights. We all deserve a chance at life, liberty, and the pursuit of happiness. When we do the math, fifteen dollars (\$15) an hour; two (2) working parents get thirty dollars (\$30) an hour. That is a gross income of sixty-two thousand four hundred dollars (\$62,400) a year. That is a net payment each month of three thousand nine hundred fifty-two dollars (\$3,952) a month, which is barely living because if you consider what I told you about a house rental in Kekaha, which is probably the cheapest place to rent, at one thousand nine hundred dollars (\$1,900); that is about one-third of their income gone. This is a human rights issue. This is also a right for everybody in the State of Hawai'i and everybody in America to enjoy good living wages. If we started with fifteen dollars (\$15) an hour, that would be best. Putting it off for ten (10) years...let us see...I did the math for ten (10) years. If you are paid at eight dollars and seventy-five cents (\$8.75) an hour, you will wind up with twelve dollars and ninety-five (\$12.95), taken into consideration the cost of living.

Council Chair Rapozo: Thank you very much. Mr. Taylor.

Mr. Taylor: Chair and Members of the Council, my name is Ken Taylor. Earlier, I indicated that everything has gone up tremendously over the last forty (40) to fifty (50) years, but for some reason minimum wages has sort of lagged behind. I, myself, in 1960 was selling gasoline for nineteen cents (\$0.19) a gallon and bread cost sixty-seven cents (\$0.67) a loaf. You cannot buy a loaf of bread today for fewer than three dollars and fifty cents (\$3.50) and it runs from

three dollars and fifty cents (\$3.50) to five dollars (\$5), depending on the quality you want to buy. Minimum wage at that time was one dollar and seventy-five cents (\$1.75). If it had gone up twenty times as the gas has, minimum wage would be at thirty-five dollars (\$35) an hour. So fifteen dollars (\$15) an hour is better than what is going on today, but it still does not solve the problem of making housing affordable to young people that are just getting started, but it would be a big step forward. Again, I certainly support moving this issue forward.

*(Councilmember Yukimura is noted as present.)*

Council Chair Rapozo: Thank you. Anyone else wishing to testify for a second time? You only get two (2) times. Thank you. We will call the meeting back to order. Again, Councilmember Kualii is not here. He is actually at Urgent Care because he has a medical issue that he needs to take care of. He is expecting to be back. We can do one (1) of two (2) things, and I would ask that we wait for him to come back, but at the end of the day, we refer this to the Committee of the Whole to have the discussions next week. Is everybody here next week? Then we can move it to the full Council for the final vote or we could just defer it to the full Council. I prefer to do it in a Committee because I do not know what the Council agenda will look like in two (2) weeks and I hate to take up Council time when we are doing presentations and discussion. That would be the option for the day. Councilmember Yukimura.

There being no objections, the meeting was called back to order, and proceeded as follows:

Councilmember Yukimura: Which item are we on?

Council Chair Rapozo: We are on C 2015-227.

Councilmember Yukimura: Okay, I see. I was thinking that it might be appropriate to schedule a public hearing. I am very inclined to vote for these measures, but I also want to hear from the small businesses, the Chamber, and other parties. Seeing that in order to collect information about it, we should have a public hearing scheduled.

Council Chair Rapozo: The deadline to pass this out of Council would be September 2<sup>nd</sup>, so we only have one more Council Meeting. HSAC's deadline is the 11<sup>th</sup>, so for this to move to HSAC, we would need to have the final vote done by the 2<sup>nd</sup> of September. Councilmember Hooser.

Councilmember Hooser: So if we refer it to the Committee of the Whole, which would be next week, the community would have an opportunity to testify there and we could also ask questions.

Council Chair Rapozo: Yes.

Councilmember Hooser: So I am thinking that maybe that would be a good first step because I agree with Councilmember Yukimura that I would like to give the community as much time as possible to weigh in, but we do have a deadline. I am also supportive of the measures as they sit before me today. That might be an alternative and we could still schedule public hearing after that perhaps.

Council Chair Rapozo: I am not sure that we will have enough time to do that. Just remember, if we are concerned with the Chamber, and I agree, that we should notify them. We can send out the Resolutions to the business organizations and the Chamber and let them know. Remember, in the public hearing, we are not allowed to ask questions, so I think it is beneficial to have it at the Committee Meeting. Councilmember Kagawa.

Councilmember Kagawa: This is a question, Mr. Chair, but the decision to raise the minimum wage will be up to our State Legislature and Governor.

Council Chair Rapozo: Correct.

Councilmember Kagawa: So while I appreciate vetting the issue with the public hearing, I think ultimately it still comes down to why we are going to hold these extra meetings when it is not even our call in the end. I think this Resolution is based on a lot of "ifs." What will happen to the small businesses is really a hypothetical question. It is hard to say what the impact is going to be. What is going to be the impact to skilled workers who make a little more than fifteen dollars (\$15) an hour? Are they going to get pushed up? Are they going to say, "Well, if I am only going to make a little more than fifteen dollars (\$15), I may as well take an unskilled job." It is just really a lot of "ifs" and I expect the public hearing to be totally in support. Who does not want every person to go in the workforce and make fifteen dollars (\$15) an hour, compared to seven dollars and seventy-five cents (\$7.75) now? So we are going to get a positive outcome of the public hearing in support, but ultimately, it still falls on shoulders of Senate President Kouchi and the rest of the Legislature to make that call. Why is the Council going to spend more time than we have to? We can spend some time with the Committee Meeting, but I do not think we need to go overboard with public hearings when it is not even our call. Thank you, Chair.

Council Chair Rapozo: Councilmember Yukimura.

Councilmember Yukimura: For HSAC, there are two (2) proposals for the Legislative Package: one is the statewide minimum wage increase to fifteen dollars (\$15) and one is sick leave. There is also this Resolution that is separate, which includes living wage, paid sick leave, paid family and medical leave, and right to organize. That is very different. So the Resolution itself is not bound by the timeline.

Council Chair Rapozo: No.

Councilmember Yukimura: Okay, so that could go to a public hearing?

Council Chair Rapozo: Yes, if the Council so chose.

Councilmember Yukimura: Right. If we are going to be asked to make decisions on this issue, we need to really understand it. I do not think we can presume that the public hearing is going to be one way or the other, because as always when you get into things...I have read an article that says if there is widespread raising of the minimum wage it will push industry to just go to automation. In this webinar that I just watched, they are talking about automating truck driving so that they can lower the labor costs. These are just things that have been raised, but we need to know about them if we are going to take a position

because I think we all want to better the lives of our working families and if there are some unintended consequences, we have to understand that.

Council Chair Rapozo: And there will be. I am a small business owner as well and I can tell you that I do not have any employees now, but I did at one point. At one point, I had up to six (6) employees and had the minimum wage been raised to fifteen dollars (\$15) I would have closed down. There is no way I could have afforded it just because of the service I provided. What is ironic in this whole thing is that I would have to lay them off, they would collect unemployment, and they would do better than they were while they were working for me because of the unemployment benefits and all of that that they are entitled to.

Councilmember Yukimura: For a period of time.

Council Chair Rapozo: Yes, for as long as...what is it now? Two (2) years? So there are going to be some consequences, but something has to be done. Seven dollars and seventy-five cents (\$7.75) is below poverty. I think even at fifteen dollars (\$15), the numbers that Mr. Aguiar provided, a working couple cannot afford to get a home or barely get a rental. I understand and that is the dilemma. At the end of the day, we need to make that decision of whether or not we support that. Councilmember Hooser.

Councilmember Hooser: I want to commend in his absence, Councilmember Kualii, for putting this forward and for Ray Catania and others in the community who are out there raising this issue up. I believe that our voices are very important and it is important for us and I would like to see a unanimous vote in support for this at the end of the day. People are struggling and working multiple jobs just to pay their basic bills. This is a movement across the nation. I do not think we should assume the State is the only one that can do this. I have done some research and there are no state laws or nothing in our Constitution that prohibits the counties from doing this. I agree that it is primarily the State's responsibility, but we should not just assume it is only their responsibility. I think it is our responsibility as individual Councilmembers to speak out loud and clear on these issues and send that message as an individual County and as an individual Councilmember first; then as a Council; and then hopefully the Hawai'i State Association of Counties that we need to put people first. Fifteen dollars (\$15) is still not a living wage, but it is a big step in the right direction. I look forward to a robust discussion and I agree that small businesses and everybody needs to be at the table. If we are going to be inviting people, we should make sure that all the various labor organizations are invited as well. This is an important discussion with all kinds of implications and I look forward to it. Thank you.

Council Chair Rapozo: Thank you. Councilmember Yukimura.

Councilmember Yukimura: I also want to say that raising the minimum wage is important and it is not going to enable someone to buy a house on Kaua'i, so there are other ways where we have to address the cost of living, and the provision of public bus transportation is one of them and providing affordable housing is another one, because we are never going to be able to raise the wage to enable people to own a house or sometimes even own a car. We have to be comprehensive in how we address this problem of surviving and thriving working families.

Council Chair Rapozo: Thank you. Can someone call Councilmember Kualii and see what time his estimated time of arrival is? If he is

at Urgent Care, that could be hours. What I would like to do is move this until he gets here. If he is going to be a while, then we have a very light agenda today, so we could probably do the referral or deferral without his presence because he will have that opportunity when he comes back. I see Elderly Affairs is here, so I would like to take their item up so they can get back to work. Is there any other discussion?

Councilmember Kagawa: Like you mentioned, being a small business owner, it is very important that we not only do the “feel good move,” but that we think about the impact because we could be “biting the hand that is feeding us.” If it impacts small businesses to the point that they are going to close and not provide options to big box or big stores, we have to look at the total impact. I do not know if we need economists to provide us with some expertise. I am just not comfortable hearing testimony from unions and hearing testimony from people saying that they need to buy houses or that they need more money to survive. I feel like we need to know what the impact is to our local businesses. I know that plan is 2019 and they can plan ahead, but I want to make sure that when we make these decisions that we look at the full picture and not just a small segment of it because really it is not such a simple issue. If it was a simple issue like that, the State would have raised the minimum wage countless times, but I think it is about that balance. Did they hear from economists? I have not sat on the State Legislature, but some of us have, but I am sure you are hearing from economists and financial experts that are telling you why it should not be done and that is why it has not been done. I am not saying that seven dollars and seventy-five cents (\$7.75) is fair. I think it is totally unfair and it should be at least ten dollars (\$10), but whether we make the jump from ten dollars (\$10) to fifteen dollars (\$15) instantaneously and not impact any small businesses at all; for me, I need to hear from some experts. I do not know if KipuKai has some of those expert opinions, but two (2) or three (3) states out of fifty (50)—for me, I am not ready to jump and be the fourth one, unless I can hear from the experts on how it is going to impact our economy. Thank you, Chair.

Council Chair Rapozo:

Councilmember Hooser.

Councilmember Hooser: I have been involved in these discussions in the past and I have done tremendous research on this issue. At the end of the day, it is not about experts. Quite frankly, it is about values. We will have economists on both sides of the issues say “this is going to happen” or “that is going to happen.” The reason it has not happened in the past, in my opinion, is political will. It is not because economists or others were testifying because there are opinions on both sides. I think if you look at the research of those areas that have passed these higher minimum wage laws, bad things have not happened, especially in an island community where we do not have to worry about businesses across the border who are paying lower wages, and then people driving to Colorado or wherever to go shopping at a place that is paying lower wages. People cannot do that, so it would be a level-playing field for all businesses. We do not have that risk to deal with. At the end of the day, this is going to be a values choice and we are going to hear opinions on all sides. The values that I want to put first are the values of working people and how to raise people up and provide them with the tools. As Councilmember Yukimura said, there are many aspects of people’s lives that need support. The Annie E. Casey Foundation did some tremendous research, especially on rural communities. They say how do you earn it, keep it, and grow it? How do you earn more money? That is a minimum wage increase and job training. How do you keep it? It is through public transportation where you are not spending dollars and dollars on cars. There are other ways, too. How do you grow it? Growing it is asset building, which is affordable housing homeownership. We need to focus on all

three (3) of those. Where we have legal authority, we do what we can. If we are not sure, we at least use our voices to add to the conversation to raise minimum wage and to increase the equality of people's lives in our community. Thank you.

Council Chair Rapozo: Thank you. Councilmember Yukimura.

Councilmember Yukimura: I want to say that it would be helpful when these kinds of resolutions or proposals are made to have the arguments for it to have some documentation about what it would mean, what the ramifications would be, and why it is necessary. There is almost no information.

Council Chair Rapozo: Again, to Councilmember Kualii's defense, he is not here, so we do not know what he has. That is why I wanted to hold off on any action until he was here. If it is to refer or defer, then we will have that discussion and you will have an opportunity to submit your questions to him prior to the next meeting.

Councilmember Yukimura: Okay. Thank you.

Council Chair Rapozo: I am very anxious to hear from the Kaua'i Economic Development Board (KEDB) and the Chamber because I think for every action that we do, there is a reaction or something is going to happen based on what we do. Councilmember Kagawa and Councilmember Hooser are correct; it is an issue of values and priorities. But if it was solely based on that, then I would say to raise it to twenty-five dollars (\$25) an hour because that is what it takes to live on Kaua'i. Is that realistic? Absolutely not. If we raised it twenty-five dollars (\$25), I can guarantee you that we would have mass unemployment. What is the reaction from the industry from the employers at fifteen dollars (\$15) an hour? We do not know. Hopefully KEDB, our Economic Development, and possibly some economists have that. How many small businesses do we even have on Kaua'i that can absorb a fifteen dollar (\$15) an hour minimum wage? Is the damage caused by this going to be greater than the good? I think Councilmember Kagawa is right on target. We need to do that. It is not as simple as saying, "Yes, I support it," because if it passes, what if it causes the community more harm? What if fifteen dollars (\$15) is not the number? What if it is twelve dollars and eighty-five cents (\$12.85)? That is the point. I do not know because I am not an economist. I think value-wise, let us raise it to twenty-five dollars (\$25), because really that is what it takes, but that is just not realistic. I anticipate a very good discussion with hopefully some numbers, and Councilmember Kualii should, as Councilmember Yukimura said, have those numbers or at least some ballpark figure as to what the benefits are and making sure that the benefits outweigh the potential problems that are caused. That can all be discussed at the Committee Meeting. Councilmember Kualii said that he is not going to be back for another hour to hour and a half. I am just going to ask that we refer this to the Committee and he can have his presentation ready for the Committee Meeting if there is no discussion.

Councilmember Kagawa: Committee of the Whole?

Council Chair Rapozo: Yes. Councilmember Yukimura.

Councilmember Yukimura: So this is C 2015-227?

Council Chair Rapozo: Yes.



Councilmember Kagawa moved to refer C 2015-227 to the August 26, 2015 Committee of the Whole Meeting, seconded by Councilmember Kaneshiro.

Council Chair Rapozo: Any further discussion?

The motion to refer C 2015-227 to the August 26, 2015 Committee of the Whole Meeting was then put, and carried by a vote of 5:0:2 (*Councilmembers Chock and Kualii were excused*).

Council Chair Rapozo: Next item, please.

Mr. Sato: We are back on page 2 under Communications.

There being no objections, C 2015-222 was taken out of the order.

C 2015-222 Communication (07/20/2015) from the Executive on Aging, requesting Council approval, to receive, expend, and indemnify the State Executive Office on Aging for State Kupuna Care Funds for the fiscal biennium 2015-2017, in the amount of \$1,016,412 (\$508,206 per State fiscal year), to be used for the following Kupuna Care services:

- Adult Day Care: \$105,430;
- Case Management: \$110,000;
- Home Delivered Meals: \$247,540;
- Transportation: \$251,868;
- Homemaker: \$104,982;
- Personal Care: \$115,280;
- Area Agency on Aging (AAA) Administration: \$20,328; and
- Kupuna Care Administration (KCA): \$60,984.

Councilmember Kagawa moved to approve C 2015-222, seconded by Councilmember Kaneshiro.

Council Chair Rapozo: Any discussion? Any public testimony?

The motion to approve C 2015-222 was then put, and carried by a vote of 5:0:2 (*Councilmembers Chock and Kualii were excused*).

Council Chair Rapozo: The next item, please.

Mr. Sato: We are on page 4.

C 2015-228 Communication (08/11/2015) from Councilmember Kualii, requesting agenda time to discuss and approve for inclusion in the 2016 County of Kaua'i and Hawai'i State Association of Counties (HSAC) Legislative Packages, a proposed new Chapter to the Hawai'i Revised Statutes (HRS) entitled "Paid Sick Leave," which would require many employers to provide a minimum amount of paid sick leave to employees to care for themselves or a family member who is ill, needs medical care, or is the victim of domestic violence, sexual assault, or stalking.

Councilmember Kagawa: Chair, I thought about it and this one is kind of related to HSAC, which is intergovernmental relations, but again, the Resolution is a Countywide Resolution that perhaps belongs in the Committee of the Whole. I

guess it is the right Committee. Do you think that the Economic Development & Intergovernmental Relations (EDIR) is a better Committee? We already referred the first one to the Committee of the Whole.

Council Chair Rapozo: We can fix that, but the difference is that the EDIR Committee does not have seven (7) members.

Councilmember Kagawa: So if we wanted that robust discussion with all seven (7) members and have all members participating, then we should refer it to the Committee of the Whole.

Council Chair Rapozo: If you want to do that, we can do a reconsideration. Let us do that. Let us just move it to the EDIR Committee, which is Councilmember Kualii's Committee anyway. Let us do C 2015-228 and make the referral to the EDIR Committee.

Councilmember Kagawa moved to refer C 2015-228 to the August 26, 2015 Economic Development & Intergovernmental Relations Committee Meeting, seconded by Councilmember Yukimura.

Council Chair Rapozo: Discussion? Public testimony?

The motion to refer C 2015-228 to the August 26, 2015 Economic Development & Intergovernmental Relations Committee was then put, and carried by a vote of 5:0:2 (*Councilmember Chock and Councilmember Kualii were excused*).

Council Chair Rapozo: Thank you. I will not entertain a motion to reconsider C 2015-227.

Councilmember Yukimura moved to reconsider the motion to refer C 2015-227 to the August 26, 2015 Committee of the Whole Meeting, seconded by Councilmember Kaneshiro, and carried by a vote of 5:0:2 (*Councilmembers Chock and Kualii were excused*).

Council Chair Rapozo: Now I need a motion to refer C 2015-227 to the EDIR Committee.

Councilmember Yukimura moved to refer C 2015-227 to the August 26, 2015 Economic Development & Intergovernmental Relations Committee Meeting, seconded by Councilmember Kagawa, and carried by a vote of 5:0:2 (*Councilmembers Chock and Kualii were excused*).

Council Chair Rapozo: Okay, so C 2015-227 and C 2015-228 will now appear in the EDIR Committee Meeting next week. Next item, please.

#### CLAIMS:

C 2015-229 Communication (08/03/2015) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Theresa Caroline Casil, for personal injury, pursuant to Section 23.06, Charter of the County of Kaua'i: Councilmember Yukimura moved to refer C 2015-229 to the County Attorney's Office for disposition and/or report back to the Council, seconded by Councilmember Kagawa, and unanimously carried.

C 2015-230 Communication (08/07/2015) from the County Clerk, transmitting a claim filed against the County of Kaua'i by William J. Steinohrt, for damage to his vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i: Councilmember Yukimura moved to refer C 2015-230 to the County Attorney's Office for disposition and/or report back to the Council, seconded by Councilmember Kagawa, and unanimously carried.

Council Chair Rapozo: Any discussion? Public testimony? Next item, please.

### COMMITTEE REPORTS:

#### PUBLIC WORKS / PARKS & RECREATION COMMITTEE:

A report (No. CR-PWPR 2015-11) submitted by the Public Works / Parks & Recreation Committee, recommending that the following be Received for the Record:

"PWPR 2015-03 Communication (07/20/2015) from Committee Chair Kagawa, requesting the presence of the County Engineer, to provide a briefing on the Hardy Street Improvements (status of project construction and completion), including an update on the impact on traffic surrounding Elsie H. Wilcox Elementary School (during drop-off and afternoon pick-up times),"

Councilmember Kagawa moved for approval of the report, seconded by Councilmember Yukimura.

There being no objections, the rules were suspended to take public testimony.

There being no one present to give testimony, the meeting was called back to order, and proceeded as follows:

The motion for approval of the report was then put, and carried by a vote of 5:0:2 (*Councilmembers Chock and Kualii were excused*).

A report (No. CR-PWPR 2015-12) submitted by the Public Works / Parks & Recreation Committee, recommending that the following be Received for the Record:

"PWPR 2015-04 Communication (08/03/2015) from Committee Chair Kagawa, requesting the presence of the County Engineer, to provide an update on concerns related to the operations at the Kekaha Landfill,"

Councilmember Kagawa moved for approval of the report, seconded by Councilmember Yukimura.

There being no objections, the rules were suspended to take public testimony.

There being no one present to give testimony, the meeting was called back to order, and proceeded as follows:

The motion for approval of the report was then put, and carried by a vote of 5:0:2 (*Councilmembers Chock and Kualii were excused*).

BUDGET & FINANCE COMMITTEE:

A report (No. CR-BF 2015-22) submitted by the Budget & Finance Committee, recommending that the following be Received for the Record:

“BF 2015-03 Communication (07/17/2015) from Councilmember Hooser, requesting the presence of Department of Water personnel, to provide a briefing on their Capital Improvement Projects, to include the following:

- Name and description of each project, including the geographic area to be served by the project.
- Whether or not the project is included in the County of Kauaʻi’s bond issuance.
- Timetable for project.
- The estimated cost of the project, including funding source (bond issuance, etc.), and the amounts that have been expended/encumbered,”

Councilmember Yukimura moved for approval of the report, seconded by Councilmember Kaneshiro.

There being no objections, the rules were suspended to take public testimony.

There being no one present to give testimony, the meeting was called back to order, and proceeded as follows:

The motion for approval of the report was then put, and carried by a vote of 5:0:2 (*Councilmembers Chock and Kualiʻi were excused*).

COMMITTEE OF THE WHOLE:

A report (No. CR-COW 2015-10) submitted by the Committee of the Whole, recommending that the following be Received for the Record:

“COW 2015-03 Communication (07/09/2015) from Council Chair Rapozo, requesting the presence of the Managing Director and the Office of the County Auditor, to discuss the Audit of Fuel Costs, Consumption, and Management (Report No. 12-01) prepared by the Office of the County Auditor in April 2012, and to respond to the various findings and recommendations cited in the aforementioned audit,”

Councilmember Yukimura moved for approval of the report, seconded by Councilmember Kagawa.

There being no objections, the rules were suspended to take public testimony.

There being no one present to give testimony, the meeting was called back to order, and proceeded as follows:

The motion for approval of the report was then put, and carried by a vote of 5:0:2 (*Councilmember Chock and Councilmember Kualiʻi were excused*).

A report (No. CR-COW 2015-11) submitted by the Committee of the Whole, recommending that the following be Received for the Record:

“COW 2015-04 Communication (08/06/2015) from Council Chair Rapozo, requesting agenda time to discuss the process and details that would be included in a comprehensive noise ordinance,”

Councilmember Yukimura moved for approval of the report, seconded by Councilmember Kagawa.

There being no objections, the rules were suspended to take public testimony.

There being no one present to give testimony, the meeting was called back to order, and proceeded as follows:

The motion for approval of the report was then put, and carried by a vote of 5:0:2 (*Councilmember Chock and Councilmember Kualii were excused*).

Council Chair Rapozo: Thank you. Next item, please.

### RESOLUTIONS:

Resolution No. 2015-56 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE PLANNING COMMISSION (*Roy K. Ho – Labor*): Councilmember Kagawa moved for adoption of Resolution No. 2015-56, seconded by Councilmember Kaneshiro.

Council Chair Rapozo: Discussion?

Councilmember Yukimura: Did we interview him?

Council Chair Rapozo: Yes. I am just going to ask that in the future we do not have the interview and the appointment on the same day. We give the public no opportunity to comment on the interview. I understand that time is of the essence, but I would appreciate that if we do the interview that, in fact, we wait two (2) weeks or one (1) week at least before we do the appointment. We heard the interview. I do not know Mr. Ho and it was the first time I got to hear from him, but I am not sure what the public feels. I would ask that we do not do the interview and the appointment on the same day. Councilmember Kagawa.

Councilmember Kagawa: I am going to agree with you on that. We should at least allow one (1) week in case the public is watching and if they should bring up something that the Council should consider. In this case, I have known Mr. Ho and his family for a while, so I think he is a good fit. He is a very intelligent individual and he has that labor experience. I think he will be a good voice to the Commission, so I will be supportive. Thank you, Chair.

Council Chair Rapozo: I am curious to hear from the other Councilmembers as well because I am thinking about it and it is troubling me. I would probably even entertain a motion to defer for two (2) weeks. If you folks are comfortable, then I am okay. It is just that no one knows about these appointments until it comes to the interview. Absolutely no one. It is not posted. It shows up here that we have an interview. Councilmember Yukimura was at a webinar and could not be here and she was one of the Councilmembers that really asks the questions. I did not have any questions because I really liked what he had to say,

but the public...only now they will know, whether it is Mr. Ho or whoever. I just feel uncomfortable right now. Councilmember Hooser.

Councilmember Hooser: I agree that we should have more time between them. I think though this is kind of how we have been doing a lot of them. We will have an interview in the morning, and then we would vote on it later. So I do not know if we need to start now with Mr. Ho if there is any reason to do it or whether to just say moving forward that we no longer do it. That would be my suggestion.

Council Chair Rapozo: If you folks are comfortable, I am okay. We will just make sure that going forward we do not put them in the same day. I know we have scheduled interviews before a Committee Meeting at a Special Council Meeting, and then voted on the person the following week at a Council Meeting, but you could be right. It just dawned on me today that it is just the same day. Have we done that on the same day recently?

Mr. Sato: Yes, based on availability of the applicant.

Council Chair Rapozo: Yes. We tell them to come, but we need to give another week or two (2) before we make the final decision. Let us move forward and set that as our Council policy. Councilmember Yukimura.

Councilmember Yukimura: I agree with you that these appointments are really important and the public should have a chance to be aware of them first of all and then second, give input. So I am glad that you are asking for a systematic change here in terms of our procedure. I do not object to a deferral for two (2) weeks, but I was not here, so I did not really, as you say and saw, I was not able to participate.

Council Chair Rapozo: Councilmember Kaneshiro.

Councilmember Kaneshiro: I, too, agree given the time for people to comment, but I am also in agreement with Councilmember Hooser and Councilmember Kagawa. For this particular case, I am comfortable voting on it today and moving forward, and then setting the policy.

Council Chair Rapozo: Councilmember Yukimura.

Councilmember Yukimura: I do not mind a deferral so that I have a chance to talk to him.

Council Chair Rapozo: It is the option of the Council. I do not believe you have the votes for a deferral. I would actually support the deferral.

Councilmember Yukimura: People might give me the courtesy of time to talk to him.

Council Chair Rapozo: Councilmember Kaneshiro.

Councilmember Kaneshiro: I do not think a deferral is going to hurt. I think he has the votes, but I still anticipate in the next two (2) weeks that he will still have the votes, so I am open to the deferral.

Council Chair Rapozo: Any other discussion or public testimony? I will suspend the rules with no objections. Ms. Cowden.

There being no objections, the rules were suspended.

FELICIA COWDEN: For the record, I am Felicia Cowden. I really want to support the discussion that is happening right here. I appreciate that Councilmember Kagawa knows this individual and I respect that he has good judgment, but I really am pleased to hear there should be a delay and it is affirming to me hearing that you are all willing to defer it, because it is important for the people to be able to contemplate these things. It only goes out on the web a few days ago and when I looked at it...I do not know who he is, but he is probably a great guy, but for the miscellaneous person, most people do not put the kind of effort that I do into doing it because I report on this weekly. I think that is very, very important to use a little more judgment, a little more deferral, and a little more democracy in letting people weigh in on their vote. I appreciate the hard work you are all doing on this and I appreciate Mr. Ho. My guess is that two (2) weeks from now it would still be a "yes." Thank you for putting that forward, Council Chair Rapozo. Thank you.

Council Chair Rapozo: Thank you. Anyone else? If not, I will call the meeting back to order. Further discussion before there is a motion?

There being no objections, the meeting was called back to order, and proceeded as follows:

Councilmember Yukimura: I would like to make a motion to defer, but I do not want to cutoff any discussion.

Council Chair Rapozo: Any other discussion? If not, go ahead.

Councilmember Yukimura moved to defer Resolution No. 2015-56, seconded by Councilmember Kaneshiro, and carried by a vote of 4:1:2 (*Councilmember Kagawa voted no; Councilmembers Chock and Kuali'i were excused*).

Council Chair Rapozo: Okay. Next item, please.

Resolution No. 2015-57 – RESOLUTION SUPPORTING ECONOMIC JUSTICE FOR HAWAII'S WORKING FAMILIES: LIVING WAGE, PAID SICK LEAVE, PAID FAMILY AND MEDICAL LEAVE, AND RIGHT TO ORGANIZE

Council Chair Rapozo: Before we entertain a motion on this one, this one does not involve the deadline for HSAC, so I would ask that...

Councilmember Yukimura: Set a public hearing?

Council Chair Rapozo: I do not want to have any discussion until Councilmember Kuali'i gets here because he is the introducer. That is where I was going with this. I do not want to do anything until he gets here. Let us proceed with the business, move this to the bottom of the agenda, and see where we are at. Hopefully Councilmember Kuali'i will be back by then.

Mr. Sato: That takes us to the Bill for first reading.

BILL FOR FIRST READING:

Proposed Draft Bill (No. 2596) – A BILL FOR AN ORDINANCE TO AMEND ORDINANCE NO. B-2015-796, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2015 THROUGH JUNE 30, 2016, BY REVISING THE AMOUNTS ESTIMATED IN THE SOLID WASTE FUND AND GENERAL FUND (*Kaua'i Police Department, Abandoned/Derelict Vehicle Coordinator – \$140,122.00*): Councilmember Kagawa moved for passage of Proposed Draft Bill (No. 2596) on first reading, that it be ordered to print, that a public hearing thereon be scheduled for September 16, 2015, and referred to the Budget & Finance Committee, seconded by Councilmember Yukimura.

Council Chair Rapozo: For the public's information, this just moves a position from Public Works over to the Police Department, where it belongs. Councilmember Kagawa.

Councilmember Kagawa: Just for the people that watch the show, I think it would be good that at least at this time we kind of just get a brief description of what this person does. When I saw it, I thought one hundred forty thousand one hundred twenty-two dollars (\$140,122)...I know that includes benefits, but does that person...just to rehash, because I am not familiar with what that job is, but that position is going to be moved from the Solid Waste Division into the Kaua'i Police Department, the money is being moved from Solid Waste Division to Police, and this person just does abandoned/derelict vehicles. Does that person have a tow truck? Does he go and pick up the vehicles or does that person call the tow company and say, "Hey, we have an abandoned truck here. Can you pick it up?" I just want to get a description of the job. If there are no abandoned vehicles that day, then what does that person do in the Police Department? Is he going to help do some other chores? Maybe go enforce some barking dogs or something? I am just wondering what else we have in store if there is no abandoned vehicle. I am sure that we do not have abandoned vehicles every hour of everyday. So just for the public to know, what does this Abandoned/Derelict Vehicle Coordinator do? Does he drive the tow truck or does he just call the tow company? What is he going to do when he is not busy? I do not know if we have somebody that can answer that for us.

Council Chair Rapozo: Interestingly, I have that same question for many positions in the County. What do they do for eight (8) hours a day, forty (40) hours a week? As it relates to this one here, I know that eighty thousand dollars (\$80,000) is for the contract services for the tow truck, so we contract out. So eighty thousand dollars (\$80,000) of that is used. Basically, we are looking at a salary of forty-one thousand dollars (\$41,000), and then the benefits add up to about sixty thousand dollars (\$60,000). That is what the person costs.

Councilmember Kagawa: I guess a follow-up is what is the monthly or yearly amount of derelict vehicles that this person gets? If it is a really low amount, then should we reallocate this person to perform other duties? I just really want to know what the scope of that job is. If we could just have a written communication to us, that would help.

Council Chair Rapozo: I do not know, but back in the day, what would happen is a police officer would post a car "abandoned." So they get the white paper and put it on the window. They go back twenty-four (24) hours later and if



the car was still there, they would write a ticket and call a tow. Dispatch would call the tow truck. We did not need a coordinator, so you bring up some good questions. As we look at downsizing the size of government, this might be just one of those positions. Councilmember Hooser.

Councilmember Hooser: I would like to have somebody come to the next meeting and talk about this. I have the same questions. Is it a vacant position? What do they do? Do we need it? Maybe we should just eliminate it if it is vacant or whatever, but I think we need a discussion on this.

Council Chair Rapozo: Councilmember Kaneshiro.

Councilmember Kaneshiro: I agree. I think you all hit the nail on the head. I had the exact same questions like what are the other duties that they are responsible for. Also, what is the reason for the transfer from Solid Waste to Police and what the benefit of that transfer is? More discussion is better on this one. Thank you for answering about what the eighty thousand dollars (\$80,000) was for. I did not know if the County had their own tow truck and were towing or if we are calling somebody? If all we have to do is call a tow truck, then what else are you going to spend your time on?

Council Chair Rapozo: Yes. I think if you follow what the law says, in twenty-four (24) hours if it is not moved, it is towed. We really do not need that. Maybe Councilmember Yukimura remembers this years ago that when this position was created, it was in the Police Department and they moved from the Police Department to the Mayor's Office, which I did not support. Then it went to Public Works and back to Police, where it belongs. If there is a need for this position, it should be in the Police Department, not in Public Works. This is a traffic issue. Anyway, good questions. I cannot wait to get the answers. Councilmember Yukimura.

Councilmember Yukimura: I would like to start by asking our staff to get the job description so we can have it at the next meeting when it comes up. This actually raises a procedural issue. I think even then Councilmember Nakamura raised it the first time she got into it. She asked, "Why do we not get briefed on first reading so that in the briefing the public knows so they are informed and can be more informed when they testify at the public hearing?" It is something that maybe I will look into as I develop some amendments to our rules.

Council Chair Rapozo: We can have someone come over. It is not a problem. We are not prohibited from doing that. Our practice has been to just...

Councilmember Yukimura: Yes, so I am just actually just following suit, your leadership, in terms of looking at this systematically at the way we proceed and just thinking that maybe we can make more use of first reading as an opportunity and an expectation or a rule that says at first reading we get briefed on whatever the proposal is.

Council Chair Rapozo: I agree. I will tell you that for me, if I was the Administration and I am asking for this move, I would be here. I would not need an invitation. I would be here. That is why some bills get killed on first reading and that is why some bills are attempted to because is there not enough answers to the question. If I am the Administration, and I know they watch this

thing live, but if I am here and I know I have an item on the agenda, I am here. I think I said that enough times. Councilmember Kagawa.

Councilmember Kagawa: I am just interested to hear like you said, why the move, but for the question about the amount, you clarified that eighty thousand dollars (\$80,000) goes to the tow company, so I thank you for that. I am also wondering that for this Abandoned/Derelict Vehicle Coordinator, does he do some investigation like look for the Vehicle Identification Number (VIN) and try and track the previous owner so we can reimbursed for the tow fees? Sometimes the VIN is hidden for different vehicles. Sometimes they say to scrape it off, but there is another VIN in some other area, so I am just wondering if this Abandoned/Derelict Vehicle Coordinator does some type of investigation like that. I am wondering if that is also part of the job. We can find that out in Committee. Thank you.

Council Chair Rapozo: I have just been informed that they are coming over, so we can have some of that discussion today and at least let them know what we want. I am not sure, but I would like to see the numbers of how many abandoned vehicles we identified and how many have we towed? How much recovery have we made in fees? With derelicts, the law, you do not need to provide twenty-four (24) hours, so there should never be a derelict vehicle on the road for more than a police officer's shift, right? A police officer, during his normal patrol, will come across a car with no engine or a junk, versus an abandoned. That car should be towed immediately, as soon as the cop sees it, he tags it and calls the tow truck. That is how it used to be. Now it is different and I do not know what they do, so it is going to be interesting to have that discussion. Councilmember Yukimura.

Councilmember Yukimura: I think the State statute requires a certain amount of time.

Council Chair Rapozo: Not to tow.

Councilmember Yukimura: Before it can be towed?

Council Chair Rapozo: No, abandoned is twenty-four (24) hours. With derelict, the major component has to be missing, so like an engine or drive shaft. That makes it a derelict. If it is just parked unattended, then it is twenty-four (24) hours before it can be towed. The tow company has a whole regulatory process to go through before they can dispose of it, sell it, or whatever. With derelict, it goes straight to the cruncher. If it is either abandoned or derelict, somebody is responsible. Like Councilmember Kagawa said, the serial number shows up on several places of the car. Just because you rip the plate off of the car, you still can identify it. Any more discussion? Public testimony? I see a hand up in the audience. I will suspend the rules with no objections. Mr. Taylor.

There being no objections, the rules were suspended.

Mr. Taylor: This is an issue I have thought about for quite some time every time I see another car abandoned along the road and looking at the process that it has to go through in order to remove it—if I understand it correctly, you pay when the tow truck goes out there, gets it, and hauls it away. My feeling is that the County should...the situation in place where if I have a car that needs to be gotten rid of, all I have to do is call a number at the County and they

come and pick it up. That eliminates the need for this kind of activity and certainly is a savings in the long run and it certainly helps the quality of the roadside for the communities. I would certainly think that it would make more sense in negotiating a contract with two (2) or three (3) towing companies to handle the activity when the calls come in. In the long run, I think it would be a much better solution than to continue trying to figure out how to deal with the cars after they show up alongside the road. A good example is, and I did not come by the intersection by the airport today, but for over two (2) weeks there was a car abandoned right there at the intersection and I do not know if it is still there or if it has been now removed, but there is just no need for it and I think we could solve the problem before it happens if we look at it in a more intelligent way. Thank you.

Council Chair Rapozo:  
to testify?

Thank you, Mr. Taylor. Anyone else wishing

SANDRA HERNDON: Good morning. This issue has been a concern to me for a while. It is not that I think that we need to put more on the Police Department, because I know they are pretty darn busy as it is. I am wondering though if allowing it to be in the Solid Waste Division might not be a source of revenue for the County instead of an expense. I am also for minimizing government, so please hear me when I say I am looking at an opportunity for maybe government and private industry to work together. Right at this point when there is an abandoned or derelict vehicle, I think they get sent down to Puhi where they are smashed and shipped off island, right? I have an older car and I cannot tell you how many times I wished that there was a recycling yard that actually had parts so that people who have older vehicles can go down there and either...I know the subject of liability always comes up, but that being put aside, I think that if there was a system by which people could come in and either search for their own vehicle parts or something like that, you could turn that into a revenue source for the County. Clearly, I do not know everything there is to know about that, so maybe there are *pukas* in my theory, but I do think that it is something that could be considered and would be a benefit to the people of the island. Thank you

Council Chair Rapozo:

Thank you.

Mr. Bernabe: Not to disagree with any testimonies today, but would I like to agree with Mel because some of these derelict vehicles are part of crimes. If you are only talking about them as a recycling, littering, or cluttering issue, you have to remember that I have personally seen a vehicle breakdown and when I come back the next day, the tires and the motors are gone before the *wahine*...I saw the *wahine* and I asked her if she needed help. She said, "I have someone coming to pick me up." I did not realize she was leaving the vehicle. I drove the same next road from Keapana to Anahola and by the time I came back...that afternoon the tires was gone, but the time I came back the next morning, the motor was gone. Why would that not be a police issue? Some of these might get slipped under if they are processed quicker to Solid Waste, the recycling bin, or the parts store. I agree that this should be a police issue because they want to investigate the reason for the vehicle being on the side of the road, and not to mention on the other hand that if it is somebody who owns the vehicle, we want the police to investigate also so that they can be reprimanded. I would just like to put that on public record so that we have a full discussion. Thank you.

Council Chair Rapozo: Anybody else? I see Mr. Barreira here. Are you here for this item? Okay. Please come up while the rules are suspended. I am

not sure if you were listening and if you are prepared or not, but we have some questions from Councilmembers about numbers and so forth. Please introduce yourself, and then we can open it up for questions.

ERNEST W. BARREIRA, Assistant Chief Procurement Officer / Budget Chief: Good morning, Chair and Members of the Council, Ernie Barreira, Budget and Purchasing Chief. I was not listening to the testimony because I had a staff meeting, but I will do my best in answering whatever financial questions we can. I believe Assistant Chief Robert Gausepohl is heading over in the event his input is needed.

Council Chair Rapozo: Councilmember Kagawa.

Councilmember Kagawa: Thank you, Ernie. We do not need every question answered today, but I just wanted the public to know for the public hearing just briefly about this. So we are moving the position based on the Vacancy Review Committee recommendation from the Solid Waste Division to the Police Department?

Mr. Barreira: Yes, Sir, that is correct.

Councilmember Kagawa: Can you give the main reason why in a nutshell?

Mr. Barreira: When we had this position vacated, it was an opportunity to look at the structural components based on the functions of the position and we consulted closely not only with the Solid Waste team, but also with the Kaua'i Police Department. From the historical perspective from what we were told in the Committee, this position initially years ago should have been or at least was being looked at being placed within the Kaua'i Police Department because of the enforcement element of the position and my understanding based on my dialogue with Solid Waste and with the Police is that there is quite a bit of police involvement now, even with the position being within the Solid Waste operation. So based on the utility of the position and how the Police could leverage this position in attending to the statutory duties, as well as other things within Police operations, we felt it would be best because there was consensus with the Police and the Public Works Department to move the position. They felt it would be more applicable within the enforcement section.

Councilmember Kagawa: So nobody is in the position yet?

Mr. Barreira: No, it is vacant.

Councilmember Kagawa: Okay.

Mr. Barreira: The position description is being addressed and modified now by Assistant Chief Contrades, so recruitment has not begun at this point.

Councilmember Kagawa: How many cars per year are we talking about?

Mr. Barreira: We have those numbers and it would be easy to get that, Vice Chair, and I could get that for you if it comes over as a communication. Solid Waste people would be able to...

Councilmember Kagawa: Do you know if it is less than one hundred (100) per year?

Mr. Barreira: I could not venture a guess. I am really not sure.

Councilmember Kagawa: When this person is not tasked with a vehicle, what does he do?

Mr. Barreira: That is an excellent question, Vice Chair. That is why the Police Department is revising the position description because they do have intentions to make the position utilize as much utility as possible in the position, as opposed to just addressing the statutory requirements contained within the old position description. I have not seen it.

Councilmember Kagawa: Do you know if that person as a coordinator will be trying to track down the previous owner of the abandoned vehicle?

Mr. Barreira: I believe that is all part of the due process that is involved when a vehicle is abandoned or identified as a derelict vehicle.

Councilmember Kagawa: So that Abandoned/Derelict Vehicle Coordinator will try to help in that manner?

Mr. Barreira: Yes, that is correct, Sir.

Councilmember Kagawa: And part of that duty is to try and bill the owner for leaving it there?

Mr. Barreira: I believe so. There is a process involved. The statute outlines the specific requirements and due process that has to be followed and they do have an opportunity to claim their vehicle. If they do not, I believe it is the County's responsibility to dispose of it accordingly.

Councilmember Kagawa: I have one more question. So the eighty thousand dollars (\$80,000) per year goes to the towing companies. It is in a fund that would be used for the towing fees.

Mr. Barreira: We procure that and I believe we have a contract and a number of amendments attached to the contract, which is competitively bid every year.

Councilmember Kagawa: So it is an eighty thousand dollar (\$80,000) guaranteed contract or it depends and it might be less if there are less cars to pick up?

Mr. Barreira: Yes, it is based on volume.

Councilmember Kagawa: It is based on volume?

Mr. Barreira: It is based on a per car assessment. I could share the solicitation with the Council if you would like to see it.

Councilmember Kagawa: Thank you, Ernie.

Mr. Barreira: You are welcome, Sir.

Council Chair Rapozo: Councilmember Kaneshiro.

Councilmember Kaneshiro: Without the position currently filled, how are we handling abandoned or derelict vehicles now?

Mr. Barreira: One of the things that the Committee recommended was that until a formal movement occurs and the money bill is approved by the Council, the Solid Waste Division would maintain responsibility of the functions, so that is currently being addressed by the existing Solid Waste team.

Councilmember Kaneshiro: How long has the position been vacant?

Mr. Barreira: I would like to say that Cathy left perhaps two (2) or three (3) months where it has been in that vacant position. It has created quite a stress on Solid Waste and there are some diligent people working hard, particularly Maria Almeida, in addressing the needs of that position, but it is quite a task for her to take that up until we can move it formerly over to the Police Department.

Councilmember Kaneshiro: Well, I guess you said that Police is going to try and address what type of duties they are going to be doing because at Solid Waste, were they just doing derelict vehicles one hundred percent (100%) of the time or did they have other job responsibilities?

Mr. Barreira: I believe the incumbent was assigned that responsibility. Whether there were other related duties, I would not know and we would have to check with Solid Waste.

Council Chair Rapozo: Is that a full-time or part-time position?

Mr. Barreira: It is full-time, civil service.

Council Chair Rapozo: It is civil service?

Mr. Barreira: Yes.

Council Chair Rapozo: It used to be part-time.

Mr. Barreira: I did not know that.

Council Chair Rapozo: When that position was first created, it actually went to the Mayor's Office when Bryan Baptiste was the mayor. It was that long ago.

Mr. Barreira: We are showing a potential savings only because the incumbent had quite a bit of seniority and the position will be recruited

at "Step A," so it will show about initially eleven thousand dollars (\$11,000) to fifteen thousand dollars (\$15,000) a year in savings.

Council Chair Rapozo: I am really, really interested. I do not know if we can get Public Works or whoever, but I am sure there is some spreadsheet available. I am just curious of how many cars we towed and what the costs were. If I do my math, one hundred forty thousand dollars (\$140,000) for this program—even at a tow rate at two hundred dollars (\$200), which is...as I was going through the rates, we can get them as low as eighty-five dollars (\$85) and depending where they have to pick these cars up, but at an average of two hundred dollars (\$200) a tow, that is seven hundred (700) vehicles we could tow at one hundred forty thousand dollars (\$140,000) if we just had a contract like we used to, before this Coordinator position was done. Again, it was just done simply as I described it earlier...you were not here, but dispatch would call for the tow and the tow truck would take the car. When this position was originally created, it was a part-time position. I do not know how it involved to full-time. I am assuming it went through the Vacancy Review Committee.

Mr. Barreira: When it went from part to full?

Council Chair Rapozo: No, this vacancy.

Mr. Barreira: Yes, the recommendation to move it to the Police Department and the subsequent money bill is based on the recommendation that was derived by the Vacancy Review Committee.

Council Chair Rapozo: Okay. Councilmember Kaneshiro.

Councilmember Kaneshiro: I have a follow-up. So the Vacancy Review Committee allowed them to transfer the position without knowing what the position is going to do at Police?

Mr. Barreira: We made that recommendation based on the current functionality of the position based on the statute and what the statute requires for the Abandoned/Derelict position, but we did also realize in talking with the Police Department that there could be potential other duties that the position could attend to within the Police Department in making the best utility of the position. The Police Department was vested with the obligation to identify what those tasks and responsibilities may have been, and the Chief may be able to speak more eloquently on that point.

Councilmember Kaneshiro: For me, I am in this quandary of how much time does it take to do the derelict vehicle responsibilities and is it possible for an existing employee to do it? I guess having a number of how many derelict vehicles we have a year could give us a little bit more of an idea of how much time they are spending per vehicle or something, but it is hard for me to understand if we actually need an entire position, spending one hundred percent (100%) of their time on derelict vehicles. I guess what the percentage is at the time.

Mr. Barreira: Councilmember Kaneshiro, I would be happy to transmit that detailed information because that information is available and the records are available. We can provide that to you.

Council Chair Rapozo: Councilmember Hooser.

Councilmember Hooser: At the end of the day, is this a budget neutral move?

Mr. Barreira: It is a plus actually because of the savings with the new recruitment, as opposed to the senior member occupying the position, so we take up about eleven thousand dollars (\$11,000) to twelve thousand dollars (\$12,000) a year.

Councilmember Hooser: Moving forward, is there any difference in the cost with the employee working with the Police versus working with Public Works, in terms of upward mobility or increased benefits, or is it the same?

Mr. Barreira: We do not see any classification change in the position. It will be priced, as it has been, except that we may have more utility, depending on what the Police Department does in terms of redescribing the current position.

Councilmember Hooser: Okay. Thank you.

Mr. Barreira: Councilmember Hooser, in terms of money, as reflected in the money bill, it is really a "No blood proposition." We will simply reduce the transfer out of General Fund into the Solid Waste Fund by moving the position over to the Kaua'i Police Department, so it is a give and take.

Councilmember Hooser: Are they Operating funds or Solid Waste funds?

Mr. Barreira: Solid Waste funds were originally utilized to fund this position and the related contract, but there is a nine million dollars (\$9,000,000) in General Funds that are transferred out to Solid Waste each year, so these will simply now be reduced, but increased within the Kaua'i Police Department General Fund appropriation.

Councilmember Hooser: Okay, so it is a transfer of general funds?

Mr. Barreira: Yes.

Councilmember Hooser: Okay. Thank you.

Council Chair Rapozo: It is a transfer from Solid Waste Funds to the General Funds, from the General Fund to KPD.

Mr. Barreira: I am not sure how Director Shimonishi would define that, but in layman's terms, yes. It is a reduction and a proportion of increase.

Council Chair Rapozo: I see that Chief Gausepohl is here, so I am not sure if he can answer some of the questions as to the numbers, but it is a wash, but nonetheless I guess the real question is, "Do we actually need the position?" That is the question I have. Does the duties of the abandoned/derelect vehicles here on Kaua'i justify a full-time position? There is an opportunity here to reduce and rather than reduce, I guess for me, it would be better to say, "Okay, let us not see how we can make the position fit the money; let us take advantage of an



opportunity of a vacant position and determine if we can make do without." That is how I envision things, a little different. There is an opportunity to save here, so I guess that is where I am at with this. Chief, can you state your name for the record?

ROBERT GAUSEPOHL, Assistant Chief: Good morning, Rob Gausepohl for the record. Basically, I think it is an opportunity to reduce, but there is another factor involved as well. We want to consolidate the two (2) towing contracts, an evidence towing contract and a derelict abandoned vehicle contract. We feel that that would be much more efficient. They are very difficult contracts to negotiate. It might not be a full-time position just doing abandoned/derelict, but we are in the process of redescribing that position to do a lot more than just that. We have a lot of logistical problems with the Police Department. We came before you and asked for a forklift to try to help solve some of those problems, but just shuttling cars back and forth to the maintenance shop storage of large evidence items...there are a lot of things that were stretched really thin in doing and there is a possibility that this person could also assist in that capacity. It would not just be taking care of abandoned/derelict vehicles. There is a ton more work. We could add two (2) or three (3) people and probably be okay.

Council Chair Rapozo:

Councilmember Yukimura.

Councilmember Yukimura: Thank you for being here. So you are trying to maybe optimize this position by addressing some of the work that is not getting done, as well as the mission of dealing with the statutory requirements of abandoned/derelict vehicles.

Mr. Gausepohl: Yes. I also think it is a lot more efficient to have that position with the Police Department. We are basically eliminating the middleman. I think it was a wise choice that the Vacancy Review Committee made. We are eliminating the middleman and it will go directly from dispatch to us. If that person is off, we have personnel that will backfill. Everyone is entitled to their vacation and sick leave. What happens if that position stays somewhere else or the position is eliminated? We see abandoned vehicles. I think it could be done more efficiently and just to benefit the community better. It is an eyesore to see these vehicles out there. I think we could do a better job.

Councilmember Yukimura: What you say makes a lot of sense. So you said you are redescribing the position. We earlier talked about getting a copy of the job description, but that is in progress at this point. Do you have a redescribed position or is that something you are still working on?

Mr. Gausepohl:

Yes, I am sorry, we are still working on it.

Councilmember Yukimura:

When do you anticipate figuring it out?

Mr. Gausepohl: Well, I am not sure of the exact date. I am not personally working on it, but we are trying to get as much as we can that we feel that person could do.

Councilmember Yukimura:

Right, before you hire somebody.

Mr. Gausepohl:

Yes.

Councilmember Yukimura: So I think it would help us if we knew exactly what the job is with respect to abandoned/derelict vehicles, like how many cars are processed, what the procedures are, and what kind of time requirements are there. Are you able to tell us that now or do you want to bring that information back when we are in Committee after the public hearing?

Mr. Gausepohl: As far as the amount of vehicles, it is really hard to determine because that is going to vary from year-to-year.

Councilmember Yukimura: Yes.

Mr. Gausepohl: I think if we do a really good job, we are probably going to get rid of more vehicles, but basically the person would get the call from dispatch, go out to the scene, and evaluate it. We would like this individual to be able to post the vehicle as abandoned and under the requirements of the statute. Then they would have to go back and check each vehicle to see whether or not they have been moved. We would like to give them the authority to cite the vehicle, that it is a parking violation, and then create a seizure form, call for a tow, standby, and have the tow truck come and get it and verify that that vehicle is no longer there. If we are talking two hundred (200) to three hundred (300) vehicles a year, I think it is a full-time job or close to it.

Councilmember Yukimura: So you think it is between two hundred (200) to three hundred (300) cars per year?

Mr. Gausepohl: I have no idea. I really do not know.

Councilmember Yukimura: But somebody has that data?

Mr. Gausepohl: Yes.

Councilmember Yukimura: And you can approximate per car how much time it would take?

Mr. Gausepohl: Again, that varies, too. We are in Līhu'e and if it is in Kekaha or the north shore, it is going to be longer.

Councilmember Yukimura: Right. Actually, the old process was that somebody in Solid Waste would be doing part of the work, and then calling the Police Department to do part of the work, so you say that you are removing the middleman, so to speak. So will everything happen in the Police Department where you can pretty much have this person do every step of the process?

Mr. Gausepohl: Yes. I think the person who was doing this job before had some frustrations in having to try to coordinate that. I think we can resolve that if the position was actually in the Police Department.

Councilmember Yukimura: It sounds like that is a good move. Thank you.

Mr. Gausepohl: Thank you.

Council Chair Rapozo: Any other questions? I called over to see if we can get the numbers from Public Works because I think that is important. When the car is towed by the tow company, they take it to their yard?

Mr. Gausepohl: I believe they take it to the...

Council Chair Rapozo: To the tow truck's yard, right?

Mr. Barreira: No.

Council Chair Rapozo: Where does it go?

Mr. Barreira: I believe the instructions within the contract is to take it to Puhi Metals Recycling where it is held.

Council Chair Rapozo: For an abandoned vehicle?

Mr. Barreira: Yes. I can check the particulars in the contract, but I believe that is...I can check the particulars in the contract, but I do not believe it goes to the baseyard *per se* of the company. There are timing requirements and at some point, it is taken there.

Council Chair Rapozo: Who pays for the storage at Puhi?

Mr. Barreira: It is all incorporated within the contract itself.

Council Chair Rapozo: So we pay the tow company and he takes care of it from there, right?

Mr. Barreira: Yes, the bid has to be inclusive of all costs.

Council Chair Rapozo: So the County does not participate in the storage or any of that?

Mr. Gausepohl: I do not think so.

Mr. Barreira: Only to the extent that we have that separate contract for metal recycling within...

Council Chair Rapozo: No, I am talking about abandoned vehicles. So the police officer comes, puts the tag or paper on the car, comes back twenty-four (24) hours later, calls for the tow, and the vehicle gets towed to Puhi Metals Recycling. Then Puhi Metals Recycling holds it for ten (10) days. Is that what it is?

Mr. Barreira: I will check all the particulars and get that.

Council Chair Rapozo: Can we just get somebody from Public Works? I do not want to guess and speculate. I am thinking that we have created a much more difficult situation than what the law requires. In essence, it is real simple. You tow the car and send them a notice and they have ten (10) days. If not, then you sell the car. That is what the law says. Guess where the proceeds go? They go to the General Fund. It is a money making revenue for the County and it should not be costing us money. I think that is why the State statute was setup

that way so that the counties could clean the streets, provide notice, and then auction off the car. That is for abandoned vehicles. I do not think we are doing that. Have we auctioned anything off? I am sure we have held cars for more than ten (10) days.

Mr. Barreira: No, we do not auction. That question came up the other day. I am not sure if it was from the Council or someone else. We are only allowed to auction by County Charter and by policy, County assets.

Council Chair Rapozo: Right, and the State law says that after ten (10) days it is a County asset.

Mr. Barreira: We have never auctioned abandoned vehicles.

Council Chair Rapozo: I know we never did, but I am just thinking outside the box. We are spending money into a project that we could be making money. This is what I am trying to say. The truth of the matter is that back, and I cannot remember what year this was, but that whole position was created so that the Mayor could give someone a job. That is just what happened. That is the reality of it. We give them a part-time job and that is how it started. We took that so-called "duty," and created that duty so that we could put a clerk in charge of abandoned vehicles. That is how this started and that has evolved into a full-time, civil service position, which we have to now find things for them to do to justify the position. I am saying that this is an opportunity to reevaluate, reassess, look at the costs, utilize the State statute, and recoup some of these moneys. That is what I am saying. I do not know if anybody has looked at that, rather than, "No, it is vacant, so let us go fill it." No, let us try not to fill it and see if there is a way where we can work the statute to make it the way the intention of the statute was so that we can generate revenue from these people. When the people know that in ten (10) days they are going to lose their car, they will come get it or they will give it up. In the meantime, somebody gets cited and they have to go to court and deal with that criminally. That is all I am asking. Have we even looked at that option to utilize the statute versus just trying to keep positions in the County? Councilmember Kagawa.

Councilmember Kagawa: If I could just add to the request that Ernie can check with Solid Waste. I want to see the totals for the past five (5) years.

Mr. Barreira: Okay. They were just asking the terms.

Councilmember Kagawa: I want to commend the Police Department, because as I have gone fishing and what have you, I do not see as much around. I think we have done a pretty good job. Matt does a lot of fishing, too, and he probably can add, but I think we are doing a pretty good job. Hopefully there is not a lot more out there. Anyway, I want to see that number. Like Council Chair Rapozo said, let us use this as a positive and if there are not as much vehicles during that week then, Rob, put that language in so he can help the Police Department in whatever we can and not just keep him busy, but keep it productive for the Police Department, because we are in tough times. It is going to be hard adding positions going forward. There is no doubt. I just would really appreciate if you can put in that language, so that person during the downtimes can assist our departments that are overloaded.

Mr. Gausepohl: The other consideration is that we want our police officers patrolling the streets, answering calls, and not going to basically parked cars. That is what abandoned vehicles are. So they have to generate a report and write a seizure form. It does not sound like much, but that compounded with their daily duties—we would like to relieve them of that and take that away from the officers and put it still within the Police Department, but in this other position.

Councilmember Kagawa: Understood. I guess just to reiterate what Council Chair pointed out is that to have that language that the person can perform other duties...if I read this position description now, this person devotes one hundred percent (100%) of the time to derelict vehicles. I do not find that flexible enough for downtimes where the person may not have that task, because with any job, like Council Chair Rapozo said, sometimes we wonder what you are doing during your downtime. We are not trying to fix the whole County, but being that this is a vacant position, we have time to fix it right now so that the Police Department can have this person be productive during those times when there is no derelict vehicle work.

Mr. Gausepohl: There is plenty of work and we would like to redescribe it so that the minimum qualifications would suit a person applying to a position that includes a multitude of other duties besides what is just on there.

Councilmember Kagawa: Thank you. Like I said, if you went with this description here and you said, "Go help Mr. Ebesu" on his downtime and the person could say based on his job description, "That is not my job. My job says that I am one hundred percent (100%) to derelict vehicles." I am glad that you folks are going to try and address it. It is just to help the Police Department and help everybody so that we are clear as to what this person is going to do. I appreciate it. Thank you.

Council Chair Rapozo: So right now with this position, do the police go out and put the papers on the cars?

Mr. Gausepohl: They do and they still have to write a report.

Council Chair Rapozo: Right.

Mr. Gausepohl: That was part of the dilemma with the former position holder that there was disconnect between the police...she had to wait for them to get their reports in, etcetera.

Council Chair Rapozo: So are you saying this new position description is going to take the patrolman out of it?

Mr. Gausepohl: Yes, that is the intent.

Council Chair Rapozo: There will be no report?

Mr. Gausepohl: It will take the patrolman out of the picture.

Council Chair Rapozo: So a civilian is going to do the report?

Mr. Gausepohl: Yes.

Council Chair Rapozo: That is a huge shift.

Mr. Gausepohl: Well, that is the intent.

Council Chair Rapozo: But the civilian cannot write a citation.

Mr. Gausepohl: Well, in some capacities they can, like the Humane Society, et cetera. In a limited capacity, we believe they could write a parking ticket.

Council Chair Rapozo: Okay. We will see. I do not know if Public Works is going to bring anything here today, but there will be some questions in the Committee. I would ask that we look at the possibility of just doing away with this position altogether. For a long time, we did not have this position. It came up and we have made the position become a required position. Is there a way around if we follow the State statute? The State statute says that you could just contract the whole abandoned vehicle program to an outside agency, so we do not have to deal with it. Have we looked at that? No, because we have that position. That is another option. The tow trucks tow it, they hold it, send the notice, sell it, crunch it, or do what they want after the required time. That is another option. Have we looked at what that would cost?

Mr. Gausepohl: We have to look at the privatization issues, too.

Council Chair Rapozo: It is in the State law. It is not a privatization issue because the State law says that you can do it.

Mr. Barreira: One of the things that the Chief touched on that we struggle with extensively is being able to leverage enough resources within the towing community so that we can contract with them appropriately. There are a number of challenges in terms of tax compliance and other adherence issues that the industry has had some trouble with on this island, therefore we have a limited amount of resources.

Council Chair Rapozo: What does moving a position from Public Works to Police have to do with a contract with them?

Mr. Barreira: It does not, but in terms of further expanding towing contractual obligations, it might be a challenge.

Council Chair Rapozo: I know, but this is totally irrelevant. You could do that without this position.

Mr. Barreira: In terms of expanding the towing responsibilities to a private contractor.

Council Chair Rapozo: No, you are saying that this is going to help you coordinate or expand the towing services for the Police Department.

Mr. Barreira: No, what I am saying is that in terms of the industry of towing on the island, we have a serious amount of challenges in terms of being able to contract with them for certain law enforcement purposes because of legal requirements that are occasionally not met. So for the towing evidence towing

contract for example, you would think there would be a lot of competition, but because of the requirements that cannot be met, we struggle to find contractors who can perform these services.

Council Chair Rapozo: I understand that, but again, I do not see what that has to do with this Bill.

Mr. Gausepohl: Right now, there are two (2) contracts: one is with Public Works and one is with the Police Department. The thinking is that if we combined it into one contract under the Police Department if we get that position, it would make that contract more...

Council Chair Rapozo: Imagine if you had a contract for the private sector to do the abandoned/derelect. We would not have to deal with it. You deal with evidence and that is all you would have to deal with. If we could enjoy a cost-savings there, I do not know.

Mr. Gausepohl: It would still tie up the police officers though because they would have to go out and do what they are doing now.

Council Chair Rapozo: On the frontend, but then it is done. The car is towed and it is done. There would be no need to send notices or any of that. It is done. Again, I just say that we should utilize the statute so that we can generate revenue. Some of these abandoned vehicles are not bad and you could actually make money off of them; not the derelicts, but the abandoned. Again, without seeing the numbers, it is very hard. I am just curious to see how many cars we towed. Any more questions? Councilmember Kaneshiro.

Councilmember Kaneshiro: You brought up a good point. For the numbers, if they specify the difference between the car being abandoned and the car being derelict might help also.

Council Chair Rapozo: Anything else? Councilmember Yukimura.

Councilmember Yukimura: Ernie, were you saying that there is not enough actual competition in the bidders for the towing contracts?

Mr. Barreira: There is quite a large amount of towing contractors on the island.

Councilmember Yukimura: There are?

Mr. Barreira: But in terms of our ability to utilize them because of the requirements for procurement that they have to meet certain legal standards like tax compliance and licensure, for example; we have had a number of challenges in being able to utilize them for criminal justice or for County legal purposes. So we have had a challenge and it has been difficult. In fact, Captain Applegate is currently in a negotiation to be able to establish a contract for the evidence towing because we simply had problems with the compliance requirements.

Councilmember Yukimura: Are those statutory or procurement requirements?

Mr. Barreira: Both. It is contained within the procurement code, as well as outside of the procurement code in terms of tax compliance.

Councilmember Yukimura: Okay. Thank you.

Council Chair Rapozo: Any other questions? If not, thank you. We have Public Works here if anybody has burning questions for them. Councilmember Kagawa.

Councilmember Kagawa: I know we have a caption break in like five (5) minutes, but maybe they have those totals or ballpark figures for last year or the past five (5) years or whatever. How much vehicles are we talking about? This is just so that the public knows what kind of derelict problems we are dealing with. My question is if we know how much cars we are talking per year? If it goes up-and-down, maybe you could give us some totals for the past three (3) years or so?

LYLE TABATA, Deputy County Engineer: Good morning, Chair, Vice Chair, and Members. There are two (2) parts of this position: abandoned vehicles and derelict vehicles. First I would like to kind of give a brief description. Abandoned vehicles are vehicles that, as you see, are left on the sides of the roads, and so the Coordinator...we have this flowchart that we have brought with us, so when we identify an abandoned vehicle/derelict vehicle, a derelict vehicle is a vehicle that has parts missing and is not drivable. For an abandoned vehicle, we assume overall by just going over the inspection of the vehicle that it can be driven. So we take the vehicle information and we go to KPD and start the search and notification process. If it is found to be disassembled or dismantled as the Hawai'i Revised Statutes (HRS) describes "derelict," then we also still have to go through the identification of owner and notification. That is where KPD and the Department of Motor Vehicles (DMV) helps us. We get that information, and then we have to post the notice on the vehicle as an abandoned or derelict and try to get the owners to come forward and take care of their vehicle. If we cannot find, then we tow. So the numbers straight off for the period of October 2013 to June 2015, there were two hundred seventy-eight (278) derelict, for an average of about thirty-five (35) vehicles a month. For abandoned, about one hundred twenty (120) a year or about ten (10) a month. Basically, we have about forty-five (45) vehicles a month that we have to deal with. In addition, the State Department of Land and Natural Resources (DLNR), I believe two (2) years ago, put the responsibility on the County to deal with abandoned vessels, so this person was also dealing with abandoned vessels, which I believe you are talking about less than a dozen a year, but it is still a process to identify the owner, do the communication required in the expected time required, and then deal with the disposal. In comparison, the total amount of vehicles in 2014 that was disposed of in Puhi Metals were one thousand thirty (1,030) vehicles, and that is just from the community and so forth. In 2015, there were one thousand one hundred fifteen (1,115) total.

Councilmember Kagawa: Thank you, Lyle. Just to clarify, the twenty-five (25) per month was abandoned or derelict?

Mr. Tabata: Thirty-five (35) per month is derelict, which means that parts are missing and it is not drivable.

Councilmember Kagawa: Okay.



Mr. Tabata: Just abandoned, and we try to find the owners—sometimes owners want to reclaim and sometimes they say, “Forget it, the cost of the towing is worth more than the vehicle, so keep it.” Then we have to dispose of it.

Councilmember Kagawa: So the abandoned vehicle number is ten (10) per month.

Mr. Tabata: Yes, that is an average. It swings sometimes, but that is for a total annual of ten (10) a month.

Councilmember Kagawa: Yes. If the person is dealing with one (1) car per day, I would say that is quite a bit of work, actually.

Mr. Tabata: There is a lot of paperwork and in the field reconnaissance. They have to go back and revisit.

Councilmember Kagawa: I thought the numbers would be much lower. That is why we need to numbers to understand, so thank you for bringing the numbers.

Mr. Tabata: Mr. Tanigawa has more to add.

TROY TANIGAWA, Environmental Services Management Engineer: I would just like to add that the number of vehicles that appear on the tow log or the report that the position has to check on is higher. It is higher than what is what is reflected as far as abandoned vehicles because people report it, and then in between that time the owner goes and tows it or removes it, and then the person following up on the report has to actually go out and verify that the vehicle has been removed. Then it gets taken off of the log.

Councilmember Kagawa: Thank you for your responses. They were very helpful.

Mr. Tabata: In this E-mail, I have this HRS Chapter 290-2, the owner notification process and so forth.

Council Chair Rapozo: I have a question on the towing. So do we pay the tow truck to get them and take them to Puhi Metals?

Mr. Tanigawa: Yes.

Council Chair Rapozo: Where it comes out of the County?

Mr. Tanigawa: That is correct.

Council Chair Rapozo: When the person claims the vehicle and they pay the fees, where do those fees go?

Mr. Tanigawa: They pretty much pay the ticket. The person also pays for the storage that the storage facility keeps...

Council Chair Rapozo: Do they pay for the tow?

- Mr. Tanigawa: Yes, they pay for the tow also. I am sorry.
- Council Chair Rapozo: Where does that money go to is what I am asking?
- Mr. Tanigawa: It gets submitted to the County Treasury.
- Council Chair Rapozo: So we get reimbursed for the towing that we paid?
- Mr. Tanigawa: Correct.
- Council Chair Rapozo: How much of that do we actually recover?
- Mr. Tanigawa: We recover all of the towing, but it is only by percentage of the amount towed to the amount reclaimed, which is very small.
- Council Chair Rapozo: Yes, that is the number I am interested in. So with ten (10) a month average, about one hundred twenty (120) cars a year were abandoned.
- Mr. Tanigawa: Right.
- Council Chair Rapozo: Do you know how many were recovered?
- Mr. Tanigawa: We would have to get back to you on that.
- Council Chair Rapozo: Does that revenue come back to the General Fund?
- Mr. Tanigawa: Just the amounts paid for towing.
- Council Chair Rapozo: So how does that work? They pay the tow company, and then the tow company pays us?
- Mr. Tanigawa: No, we pay the tow company when they come and reclaim the vehicle. Part of the procedure is that they come to the office. We present the towing charges applicable to the vehicle and they pay the full cost of the towing.
- Council Chair Rapozo: To the County.
- Mr. Tanigawa: Yes.
- Council Chair Rapozo: Thank you. Councilmember Yukimura.
- Councilmember Yukimura: Thank you for being here. I just want to be clear about the figures. For the derelict vehicles, you said about two hundred thirty-five (235) vehicles over a year's period?
- Mr. Tabata: That is the average.
- Councilmember Yukimura: So it is twenty-five (25) derelict vehicles per month, plus ten (10) abandoned?

Mr. Tabata: There were thirty-five (35) a month.

Councilmember Yukimura: Okay, so thirty-five (35) derelict and ten (10) abandoned per month.

Mr. Tabata: Yes.

Councilmember Yukimura: Therefore you are dealing with forty-five (45) vehicles.

Mr. Tabata: Yes.

Councilmember Yukimura: Troy, as you pointed out, that is not really the number of vehicles they have to deal with because some of them are recovered so they do not go into these numbers, but you still...

Mr. Tanigawa: Yes, they are actually removed from the highway before we tow them, but this position still has to go and check the spot to make sure.

Councilmember Yukimura: So it is over forty-five (45) vehicles a month that this position has to deal with on the average.

Mr. Tanigawa: Yes.

Councilmember Yukimura: Your total vehicles disposed of—the one thousand (1,000) and the one thousand one hundred fifteen (1,115). What were those figures?

Mr. Tabata: That is the total the Puhi Metals receives...

Councilmember Yukimura: Per year?

Mr. Tabata: Yes.

Councilmember Yukimura: Okay. What is the difference between the one thousand (1,000) and the one thousand one hundred fifteen (1,115)?

Mr. Tabata: The one thousand thirty (1,030) was in 2014 and the one thousand one hundred fifteen (1,115) is 2015; the last two (2) years' data.

Council Chair Rapozo: I have to take a caption break. If we can wrap this up in five (5) minutes, we can do it so that we do not have to come back. Our next scheduled item is not until 11:30 a.m. That is the State of Hawai'i Department of Health briefing. If we can wrap this up in five (5) minutes and move this to the public hearing, then we can submit questions over to the Administration for the Committee.

Councilmember Yukimura: I can get the clarification offline. Thank you.

Council Chair Rapozo: Okay. Any other discussion? If not, thank you for coming over. I will call the meeting back to order. There was a motion. Any further discussion? Councilmember Kagawa.

There being no objections, the meeting was called back to order, and proceeded as follows:

Councilmember Kagawa: I learned a lot today about the derelict vehicles and I am going to have more questions for Committee. I want to know how much it costs if you have a car that cannot be driven and you want to bring it down there to Puhi. I do not know if it is even on the agenda item and I may have to put a new item, but I think it is good for us to know. In fact, we are letting the public know when they have abandoned vehicles of what the costs are and the best way to do it instead of just leaving it by a beach or something. Thank you.

Council Chair Rapozo: Councilmember Yukimura.

Councilmember Yukimura: I have appreciated the questions that Councilmembers have asked, as well as the process that has been described in terms of the Vacancy Review process. I am seeing that it is a very valuable process and I appreciate the different parties involved and departments involved to really look at what is needed and how we can best utilize a position. I look forward to the future discussions on this, but I just want to say that thus far, given the information that has been presented, I really see the value of the Vacancy Review process.

Council Chair Rapozo: Councilmember Kaneshiro.

Councilmember Kaneshiro: I wanted to add that if we are going to put a new agenda item on as far as just getting information on tows, I would like to make it kind of general because I know they mentioned that we have a hard time finding tow truck drivers that are in compliance with whatever specs we need, so I do not know if there is a need to maybe do something more as far as making the criteria of required insurance or something. I am not sure what requirements they are not meeting, but I thought it was a little scary to know that there is a possibility of maybe tow truck drivers without their insurance requirements or something like that that are driving around and towing cars.

Council Chair Rapozo: Anyone else? Councilmember Hooser.

Councilmember Hooser: I think it is a good discussion to have like shifting positions and the duties. I just want to caution all of us to tread lightly on making changes to this program because when I first came on the Council, it was the nightmare issue of the County for a couple of years. There were cars everywhere and the County could not keep up. They just could not deal with it and I am not sure who actually solved the problem...probably the Council I was on at the time, but we do have a handle on it, so I think we should be careful in making changes. That is all.

Council Chair Rapozo: Thank you. I agree. I think we have to be careful when making changes, but I also agree that when opportunities such as this come up for the reduction in the size of government, we have to take a look at it. How many vacancies do we have here now, Jade? We have three (3) vacancies. Yes, we could have just filled them and added things so that we could say, "Yes, we are

going to add a little bit more duties just so we can fill three (3) positions,” but Jade is the new Clerk and she has done a needs assessment to make sure, “Hey, do we need the position?” That is all I am saying. Can we do more with less? Is it cheaper to do away with the position and do an eighty-nine (89) day contract position so that you do not have to pay the benefits and the Other Post-Employment Benefits (OPEB). That is where the money comes. Half of the salary goes to benefits. Is there a way where we can get around that? We do contract employment. If there is a need at the Police Department for a position to do other things then let us address those needs, but if we can get away with less people, this is an opportunity. Rarely do we have a civil service position that becomes vacant that we have an opportunity to say, “Let us take it back out of civil service and let us create a contract position so that we can use it as needed,” and so forth. That is all I am saying. I definitely support the program because you need it, but I just think it can be done cheaper. With that, roll call.

The motion for passage of Proposed Draft Bill (No. 2596) on first reading, that it be ordered to print, that a public hearing thereon be scheduled for September 16, 2015, and referred to the Budget & Finance Committee was then put, and carried by the following vote:

FOR PASSAGE:	Hooser, Kagawa, Kaneshiro, Yukimura,	
	Rapozo	TOTAL – 5,
AGAINST PASSAGE:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Chock, Kualii	TOTAL – 2,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Council Chair Rapozo: Okay, this is the deal. Our next presentation is not until 11:30 a.m. We can either break for lunch now, which is kind of early, or we can recess until 11:30 a.m. and do the briefing, and then break at 12:30 p.m. and be back at 1:30 p.m. for the public hearings. What is the pleasure of the Council? It is kind of early for the staff to go to lunch. We still have to deal with Councilmember Kualii. Who knows if he is even coming back? He is here? He is not in here. Let us break for a caption break and if KipuKai is here then we will be back in ten (10) minutes.

There being no objections, the meeting recessed at 10:42 a.m.

The meeting reconvened at 10:54 a.m., and proceeded as follows:

*(Councilmember Kualii was noted as present.)*

JADE K. FOUNTAIN-TANIGAWA, County Clerk: Chair, did you want to go back to the Resolution?

Council Chair Rapozo: Yes, please.

#### RESOLUTIONS:

Resolution No. 2015-57 – RESOLUTION SUPPORTING ECONOMIC JUSTICE FOR HAWAII'S WORKING FAMILIES: LIVING WAGE, PAID SICK LEAVE, PAID FAMILY AND MEDICAL LEAVE, AND RIGHT TO ORGANIZE: Councilmember Hooser moved for adoption of Resolution No. 2015-57, seconded by Councilmember Kagawa.

Council Chair Rapozo: Thank you. Councilmember Kualii, did you want to have some time to properly introduce your Resolution?

Councilmember Kualii: Yes. I know I missed the brief discussion you had earlier about the fifteen dollars (\$15) an hour and the paid sick leave. The Resolution is a County resolution to show support for those two (2) items, as well as the right to organize in Hawai'i, as we have today, supporting working families, and also supporting family medical leave. I will read the Resolution:

BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF KAUAI, STATE OF HAWAII:

WHEREAS, the minimum wage in Hawai'i is currently \$7.75 per hour, and scheduled to increase to \$8.50 per hour beginning January 1, 2016, \$9.25 per hour beginning January 1, 2017, and \$10.10 per hour beginning January 1, 2018 (Hawai'i Revised Statutes (HRS) 387-2); and

WHEREAS, prior to January 1, 2015, Hawai'i's working families had not been granted a minimum wage increase since 2007; and

WHEREAS, on May 14, 2015, the Los Angeles City Council passed a bill to raise the City's minimum wage from \$9.00 per hour to \$15.00 per hour by 2020. Other cities that have enacted a \$15.00 minimum wage include Seattle, Washington, and the cities of San Francisco and Emeryville in California; and

WHEREAS, according to the White House and the Council of Economic Advisers, raising wages can increase productivity, reduce turnover and save on recruiting/training costs, and reduce absenteeism; and

WHEREAS, regarding sick leave in Hawai'i, the State Department of Labor and Industrial Relations confirms that sick leave is not required by law. Furthermore, there are no federal legal requirements for paid sick leave; and

WHEREAS, on June 22, 2015, Oregon became the fourth state in the nation with a statewide paid sick days law (joining Connecticut, California, and Massachusetts). Oregon's bill, which will take effect in 2016, will guarantee all workers access to job-protected sick days. Workers at businesses with ten (10) or more employees will be able to earn paid sick time, while those at smaller businesses will earn unpaid time; and

WHEREAS, according to a survey conducted by the National Opinion Research Center at the University of Chicago, more than half of all workers without paid sick days (55%) have to go to work sick, and workers without access to paid sick days are twice as likely as those with access to say they have gone to the emergency room to get care for themselves because they were unable to take time off of work to get medical care. Furthermore, nearly one quarter of workers (23%) say they have lost a job or were told they would lose a job for taking time off to deal with a personal or family illness, including nearly one-sixth (16%) who say they have actually lost a job; and

WHEREAS, the National Partnership for Women & Families reports that adults without paid sick days are 1.5 times more likely than adults with paid sick days to report going to work with a contagious illness like the flu or a viral infection; more than three in four of America's food service and hotel workers (78%)

do not have a single paid sick day; and parents without paid sick days are more than twice as likely to send a sick child to school or daycare as parents with paid sick days; and

WHEREAS, regarding family and medical leave in Hawai'i, the Hawai'i Family Leave Law (HFLL), HRS Chapter 398, only applies to employers with one hundred or more employees working in the state, and even employees eligible for family leave under HFLL do not receive pay during their maximum four (4) weeks per year absence from employment, unless they choose to redeem sick, vacation, or other personal leave they may have. Covered under the HFLL is: birth of the employee's child, or the adoption of a child; or to care for an employee's child, spouse, or reciprocal beneficiary, or parent with a serious health condition. Leave for the employee's own serious health condition is not covered; and

WHEREAS, the Hawai'i Legislative Reference Bureau reported in 2007 regarding the Federal Family and Medical Leave Act (FMLA): "More than 35 million employees have taken leave under FMLA since it was enacted in 1993; however, because of employee and employer eligibility requirements, 40% of workers are not covered by the FMLA. Furthermore, those who are eligible may not be able to afford to take unpaid leave. For example, an estimated 78% of those who needed family leave but did not take it report that they did not take the leave because they could not afford to do so"; and

WHEREAS, regarding the right to organize, Article XIII of the Hawai'i Constitution guarantees to both private and public sector employees the right to organize for the purpose of collective bargaining. Both federal and state statutes guarantee many, but not all, workers the right to organize and bargain collectively; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF KAUAI, STATE OF HAWAII, that the Council requests the State Legislature raise the current minimum wage to a living wage of \$15.00 per hour to take effect January 1, 2019, following the year 2016, 2017, and 2018 increases already scheduled.

BE IT FURTHER RESOLVED, that the Council requests the State Legislature require employers with ten (10) or more employees to allow workers to earn one (1) hour of sick leave for every thirty (30) hours of work, up to a total of fifty-six (56) hours or seven (7) days; and for employers with less than ten (10) employees to allow workers to earn one (1) hour of sick leave for every thirty (30) hours of work up to a total of forty (40) hours or five (5) days, to take effect July 1, 2016.

BE IT FURTHER RESOLVED, that the Council requests the State Legislature amend HRS Chapter 398 by reducing to fifty (50) the number of employees needed to trigger an employer's applicability for family and medical leave, and by allowing leave to be used for an employee's own serious health condition.

BE IT FURTHER RESOLVED, that the Council requests the State Legislature reaffirm its support of workers and their right to form a union without employer intimidation (also known as the right to organize) by passing a resolution calling for Congressional labor law reform that helps workers bargain for dignity on

the job, fair wages, and job security; and that strengthens the National Labor Relations Act (NLRA) to better cover and protect workers.

BE IT FINALLY RESOLVED, that a copy of this Resolution be transmitted to Mayor Bernard P. Carvalho, Jr., Governor David Y. Ige, State Senate President Ronald D. Kouchi, Speaker of the State House of Representatives Joe Souki, State Representative Derek S. K. Kawakami; State Representative Daynette “Dee” Morikawa; and State Representative James Kunane Tokioka.

Council Chair Rapozo: Any more comments for you?

Councilmember Kualii: That is it for now.

Council Chair Rapozo: Okay. Any discussion before we open it up for public testimony? Is there anyone in the audience wishing to testify? I will suspend the rules with no objections.

Ms. Fountain-Tanigawa: Chair, we have two (2) speakers, Matthew Bernabe, followed by Felicia Cowden.

Council Chair Rapozo: Thank you, Mr. Bernabe.

There being no objections, the rules were suspended.

Mr. Bernabe: I would like to say that I support this. I do not know how it went earlier and I missed that first discussion on the Hawai‘i State Association of Counties. I support that. That is a good way of getting this accomplished as united four (4) counties, so I would like to go on record, for one, with that. If this is legal and binding, this would be great. I do understand that some businesses may not be able to financially maintain this, but some of our big industries like Walmart and hotels; these guys especially, that is why I support this. We have a lot of big companies on Kaua‘i and they make “peanuts.” I have people that work and pollinate corn and before the big political *huhū*, they got paid “peanuts,” then they got good money after it all went public. I am talking about my family that is working in the fields, so I have people that work in the fields. With some of these big guys, like the hotels especially, they need to pay some of their workers better wages. Maybe they are making twelve dollars (\$12) now, but three dollars (\$3) extra would be good. The small guy—I do not know...maybe we need to have a little more buffer for the small guy. That is a real issue, too. Some of these small businesses may not make it, especially if they have a bad business plan. But I guess that is how it goes in democracy; you fail and shut down, and somebody else comes in and tries. I do know that Kaua‘i’s inflated living costs for how we have done our property taxes, how we have advertised our stuff and everything is expensive, compounded with shipping everything here—we used to be eighty percent (80%) sufficient of our own growth and we ate our own products. Now it is like eighty percent (80%) that we ship in. That is part of this discussion right here. We, as a County, have to get a good financial plan going. Maybe we have to shift over and start thinking about something like long-term farming. Anyway, I support this.

Council Chair Rapozo: Thank you. Next speaker.

Ms. Fountain-Tanigawa: The next speaker is Felicia Cowden.



Ms. Cowden: For the record, my name is Felicia Cowden and I support this Resolution. I was a small business person for eighteen (18) years, having about actually over the fifty (50) employee number and I will say that a good business with good practices, values, and does not exploit their employees. The seven dollars and seventy-five cents (\$7.75) an hour is perhaps appropriate for an under-skilled worker, maybe a fourteen (14) year old, fifteen (15) year old, or somebody who is doing something on the edges. But I have never really paid minimum wage and I know that businesses that still exist currently pays double minimum wage for people who work the counter. When you treat your employees with value, you do not have to shift and retrain. There are so many ways that it actually is good for business. Just as drivers have been trained to wear seatbelts, employers can be trained to value staff. The law sets a standard and I think right now we have a mindset that says, "Oh, people cannot do business if they are not paying something this light," but maybe they should not be in business if that is the way that they pay their people. The strength of a business is the team that runs the staff and so what happens when we have such a low amount is the workforce really risks becoming demoralized and I think that is what I see across this island. Many people and many businesses say, "I cannot find anybody to work." Well, of course you cannot because if it costs more to work than it does to not work. If you are a mother or if you are a parent with a child and you have to take a risk and that you cannot get sick, and I think that what was in that Resolution that is very important is if there is not any range for sick pay and people come to work with infectious illnesses, then everybody gets sick and it really hurts business. I know this is just a resolution and not an ordinance, but I think it is a resolution that makes a very strong statement and an important statement that says we respect all of our people. If people pay close to what they are worth, I agree with Council Chair Mel Rapozo that anybody is really worth twenty dollars (\$20) to twenty-five dollars (\$25) an hour for what their time is to them. That is an unrealistic price. When we treat people with what they are due, they are going to do a much better job, which is going to help the island overall. I support all these aspects of it. I think where you could have a tiered system is with that sick pay. If people take sick pay even if they are not sick, that is abuse. It seems that there must be for at least smaller employers that sick pay only goes for sick and not that people just end up taking that as vacation pay. Thank you, Councilmember Kualii, for bringing this forward. I support it.

Council Chair Rapozo:

Anyone else wishing to testify?

Mr. Catania: I am a retired State employee. These things that KipuKai has had the courage to put together speak dearly to a lot of working people. Like Felicia said, small businesses need to treat their workers with respect. My daughters, nieces, and nephews work for minimum wages and they work hard, but lots of times they do not last long at their jobs because the pay is so low. Like Felicia was saying, we have to give our workers respect and pay them more so that they can survive and live on Kaua'i, which is a really difficult place to live. I remember that a couple of months ago, I was watching a KGMB News and KHNL News and Howard Dicus, the Economist, was talking about Kaua'i being one of the highest counties in America to survive in and that you need at least thirty-one dollars and sixty-eight cents (\$31.68) to rent a house or rent an apartment. We are not asking for that much. We know we cannot get that. We are not even asking for twenty-five dollars (\$25) because we know we cannot get that, but we think that fifteen dollars (\$15) is reasonable. I urge all of you to take a look at this now. There were two (2) things that were mentioned earlier: Councilmember Yukimura mentioned about the robots taking the place of workers, but it is already happening.

In some places, they have robotics. I do not think they are going to do any robots to operate Walmart, Kentucky Fried Chicken (KFC), or these other places. I do not see them doing robots in Kukui Grove and taking over those workers' jobs. Councilmember Kagawa mentioned that there are only three (3) states or a few states that have this fifteen dollars (\$15) an hour. It always starts small. The eight (8) hours a day started in Chicago. That is the first city it started in. Unionization started small in Hawai'i, too. The first place to get organized was the docks, and then it spread throughout the plantations. After that, what happened was that people's livelihood got better. It starts small...it always has, but this movement is beginning to build because you have the presidential candidates that are facing up to it like Bernie Sanders. I am sure Hillary is going to be pondering that. It has forced the Congressional folks from Hawai'i to take a stand on that. Brian Schatz, in particular, has come up very strong before it. I think it is something that you need to consider. Thank you, Councilmember Kualii, for what you are doing. *Mahalo.*

Council Chair Rapozo: Thank you. Anyone else wishing to testify? If not, I will call the meeting back to order. Further discussion? Councilmember Yukimura.

There being no objections, the meeting was called back to order, and proceeded as follows:

Councilmember Yukimura: I also appreciate that the subject has been brought up and the dialogue is very good and important. I think a measure like this deserves a public hearing, so I would like to and will make a motion to that effect, but I wanted to make sure there is a lot of dialogue first.

Council Chair Rapozo: Is that it?

Councilmember Yukimura: Yes.

Council Chair Rapozo: Councilmember Kagawa.

Councilmember Kagawa: I would certainly want to have more time before I cast a vote. I am not typically a person to vote silent or vote yes with reservations. I believe that you should either support it or not support it if your reservations are telling you that there may be some unforeseen circumstances that may actually harm the economy more than help. I am just looking at this salary schedule for the State of Hawai'i white collar workers where it shows that SR-11 hourly is fourteen dollars and forty-two cents (\$14.42); SR-12 is fifteen dollars and two cents (\$15.02); and SR-13 is fifteen dollars and sixty-one cents (\$15.61). My question is that when we go to the fifteen dollars (\$15) minimum, what happens to these skilled-type workers? Do we, as a County, agree with the unions that we need to move these skilled positions up? When we make that jump, where is the funding source for that gap going to come from? Are we going to raise property taxes? Are we going to raise car fees? Are we going to raise everything? We already have a lot of people screaming at us about their recent property tax bills that basically is taking effect now that we removed the cap two (2) years ago. Of course, I did not support it, but now that we lifted that, your bill cannot be raised more than two hundred fifty dollars (\$250). That is gone and that is why we are getting a lot of letters of complaint, or at least I am, about the large increase in property taxes. Does our workers out there deserve fifteen dollars (\$15) an hour to try and survive on Kaua'i? Of course, because the cost of living here is ridiculous, but should we

approve it? Now what happens to everything else? For the hotel rooms...all of those wages that are near the minimum wage level; as they increase it by sixty percent (60%) to eighty percent (80%), does that increase the cost of the rooms? How does that affect Kaua'i as a visitor destination area in comparison with other areas in the world that we fight for? Again, you want to do the right thing and support our local workers, but in the end, is there going to be a negative side in the means of how does it affect our economy? I do think that all opinions of an economist or what have you that can analyze what the County is going to see as far as an effect to our budget. What is it going to do in effect to our businesses out there and our hotel industry, which are basically our bread and butter? There are many concerns. My concern is not whether workers deserve fifteen dollars (\$15) an hour. That is not the question; the question is what is the trickle effect to our economy and I think we should all be concerned about that because at the end of the day, there needs to be a balance, a "win-win" for everyone, where we can continue to do business as we are doing or even improve that business, and yet still take care of our workers. Seven dollars and seventy-five cents (\$7.75) is definitely not a fair wage. I hope the legislative team from Kaua'i is paying attention today because I would hope that if this Council decides to support it, at least our legislative team will support our efforts because it makes no sense if we support it, and then our Kaua'i team does not support it. Thank you, Chair.

Council Chair Rapozo:

Anyone else? Councilmember Kaneshiro.

Councilmember Kaneshiro: I am all for having a little more time. I am definitely torn on this. Just this Resolution alone has four (4) issues that we could probably separate into its own and probably spend an entire day on. It is a pretty loaded resolution and I think the one thing that keeps permeating through my head is what the economic impact is. The State recently increased the minimum wage from 2015 all the way through 2018 and goes from seven dollars and seventy-five cents (\$7.75) to ten dollars and ten cents (\$10.10). I am sure that they had a robust discussion on what the increase should be and how it is going to affect the economy. For me, that is the big question. How will these changes affect our economy? How will it affect the workers? The workers will get a higher pay and hopefully allow them a better living, but how will that affect the businesses that need to pay this amount? In just the short time that I had to try and get my information, I am really not comfortable making a decision either way and I do not know how much time I will need to make a decision, but of course, the input from the public would be helpful. I really have not heard from small businesses or from employees. I think the more information we have on it, the better. We look at skilled versus unskilled labor. I do not know...it is very hard. I do not know what the number is. Is fifteen dollars (\$15) an hour the number? Will it make you live comfortably on Kaua'i? I do not think so. Is it fair to pay a student in high school with no high school diploma fifteen dollars (\$15) an hour working at McDonalds, compared to a teacher that has a high school diploma and a college degree, working for forty thousand dollars (\$40,000)? Is there going to be a shift in skill levels? Are they going to say, "I will not teach, maybe I will do this instead." Then you are taking the opportunity away from the students in high school. In high school, I worked a minimum wage job. I think the minimum wage was five dollars and twenty-five cents (\$5.25) at that time. Working helps build character and helps you get a little experience in what the "real world" is. I do not really know. I am just not sure what the impacts will be on this. Any more time for us to get a little more information on it would be very helpful because I am still torn on it, as far as the economic impact on this.

Council Chair Rapozo:

Councilmember Hooser.

Councilmember Hooser: I am in strong support of this. I think having a public hearing and further discussion is a good idea and I hope at the end of the day that we have unanimous Council support for this. I also care about the economic benefits or impacts, but if you study the history, and Mr. Catania mentioned some of that history, of workers and labor movements, these same discussions were had on debates about the forty (40) hour workweek. What if we mandate overtime? What is that going to do to the economy? How is that going to hurt people? What if we do the first minimum wage? What if we have healthcare and all this stuff we have today? It has been debated like this and the same concerns were raised. I would hope that we would err on the side of workers and not on the side of the very large companies, whether it is the fast food companies, big box stores, major hotels, or even airlines for that matter who are paying their workers a minimum wage of eight dollars (\$8) or nine dollars (\$9) an hour? Are they going to go away? No. Are they going to pass the cost on to others? Yes. Are they going to pass it on to visitor industry? Yes, that would be passed on to visitors. Will they maybe make fewer profits? Maybe. I am more concerned about that man or woman who was working eight (8) hours a day at seven dollars and seventy-five cents (\$7.75) an hour who goes home, takes a shower, and goes back to their second job at seven dollars and seventy-five cents (\$7.75), and works sixteen (16) hours to get the fifteen dollars (\$15). That is criminal. That takes human dignity away from people. It is a human right and I think it is a statement of values. It is nothing more or nothing less than that. This is not binding, as we all said earlier. It is a statement of values and I think we should make that statement as strong and as solid as possible. We value and honor the value of a person's labor a lot more than seven dollars and seventy-five cents (\$7.75) an hour or ten dollars (\$10) an hour. I think living wage is somewhere around thirty dollars (\$30) an hour. Fifteen dollars (\$15) is not enough, but I think it is a prudent step in the direction. The research clearly shows, depending on the level of median wage in your community, the level of which you get to, there might be more of a negative impact, and fifteen dollars (\$15) does not exceed that. We will have documentation on that and other impacts I am sure, at the subsequent meeting. It is not just minimum wage; it is a right to bargain, which is also included in this. It is the right to be able to take family leave and get paid for sick leave. We have people in our community who work every day; honest, hardworking people, busting their *ōkole* to feed their families, and they do not have the luxury like some of us to work a government job with a pension, making good money; some of us with two (2) government jobs with pensions and healthcare. There are many people out there and Ross's, Sports Authority, Jack in the Box, Walmart, and all the others are not going to close their doors and leave if we pass this Resolution. That is for sure. If we are lucky enough for the Legislature to move forward with this, the same would occur. These businesses are not going to flee, the Hyatt is not going to close, and the airlines are not going to stop, but our people will make more money and have a better quality of life, so I encourage everyone to offer their support. Thank you.

Council Chair Rapozo:

Councilmember Yukimura.

Councilmember Yukimura: I am sure that the Walmarts and McDonalds will not close up, but I do not know about Garden Island BBQ, KCL, Barbeque Inn, and places like that. I would like to know what the economic aspects are. I ask this genuinely to be educated about these things because those small, local businesses are part of the fabric of our community, too. I just throw out the question there about those impacts, and excuse my ignorance, but I also want to know how this affects cost of living in an area. Maybe it has no impact at all, but if it does make

the cost of living increase and everybody has to pay more, then what are the impacts? If we are taking on this issue, it behooves us all to really do our homework and understand all the dynamics of the proposal and the implications of it. I think we need to hear from people in our community if we can get good economic studies. I think that would be useful, too. I think there is a difference maybe between the large, really economically pumping cities like San Francisco and Seattle, versus smaller communities like us. Maybe there is no difference. Those are the questions that are on the table and I would really appreciate if people have some answers or some data, if we could hear that and see.

Council Chair Rapozo:

Thank you. Councilmember Kaneshiro.

Councilmember Kaneshiro: I guess I will make a plea to the public. One of my problems on getting a handle on the issue is that I do not know who is getting paid minimum and who is not getting paid minimum. My brother works for the hotel and I know he gets paid above minimum and even above the fifteen dollar (\$15) minimum also. I do not really have a handle on who we are talking about. Please send in testimonies. He works for the hotel and I do not know how many employees are getting paid over the minimum or even over the fifteen dollar (\$15) minimum, so we may not even be affecting a big hotel. I want to know who we will be affecting. I think that is my main gripe with this. I do not really know who this will be affecting. If people can please send in testimony and let us know who we are affecting because I really do not have a clue and I cannot go around asking people how much they make or what they make either.

Council Chair Rapozo:

Councilmember Kagawa.

Councilmember Kagawa: To build on Councilmember Kaneshiro's brother's situation, if the brother makes fifteen (\$15) an hour now, which is seven dollars (\$7) or so more than the going rate, in 2019 will the hotel pay him seven dollars (\$7) more? Will he be getting paid twenty-two dollars (\$22) an hour now? Based on his skill, will he move up that much more over the minimum wage or will he just stay at fifteen dollars (\$15) and make some cents over the minimum wage and because he is over the minimum wage to keep him at that salary? I have those kinds of questions. What is the effect of the projected room costs should the hotel be mandated by law to pay a minimum fifteen dollars (\$15) an hour? How does it affect their projections for everybody else? What is the increase in the cost per room? We are even talking about the airlines. A lot of them do make minimum wage because they have the flight benefits, but if we move that minimum wage up to fifteen dollars (\$15), what happens to the cost of flights for us? It affects everybody as we fly to O'ahu, the mainland, or what have you. We are already dealing with the cost of airline tickets that are just way too high for us to do it as much as we want to. I just have a lot of those types of questions that circle in my head. I know that ideally it would be something that is not too bad and will not affect the economy, but again, the unforeseen circumstances are pretty scary when you think about such a huge jump. I hope time will provide us with some of those answers. Thank you.

Council Chair Rapozo:

Councilmember Hooser.

Councilmember Hooser: I just have a few brief comments. I spent fifteen (15) years in small business, so I really understand and relate to the struggles and hard work the small business people are burdened with. Again, as I mentioned earlier, especially with (inaudible) restaurants, it would be a

level-playing field. If restaurant "A" has to pay fifteen dollars (\$15), then restaurant "B" has to pay fifteen dollars (\$15), too. If the price of those meals goes up, they go up for both, so no one is getting an unfair advantage. They cannot drive across the boundary, the border, to go to the next door city to have lunch because it is cheaper. I understand the concerns, but I think they are not as grounded in reality as the fear might indicate. I know firsthand experience...a Councilmember mentioned the airlines as an example. What is happening now is that outside independent contractor companies are coming in and they are bidding on work at the airline. They are paying their workers eight dollars (\$8) an hour and taking away good-paying twenty dollar (\$20) an hour jobs that are union jobs. So right now, you have these contractors coming in and leveraging out high-paying jobs, and people doing the same work now for half the price. This would create a floor...that they could no longer do that. The floor would be fifteen dollars (\$15) an hour. Unfortunately, that is the nature of the industry right now, using independent contractor companies to come in. Whether it is to get them to do airline jobs, hotel jobs, or others, they go to the lowest common denominator. They go in there and pay that seven dollars and seventy-five cents (\$7.75) and eight dollars (\$8) an hour. This would recreate a new floor. I look forward to further discussion and I just encourage everyone to think about the worker and that person who is working all day long for seven dollars and seventy-five cents (\$7.75) or eight dollars (\$8) an hour, and then takes off and goes to their second job for the same day after day, after day; week after week. Think about those people first. The people over at Hawaiian Airlines are very nice at the counter to me, so I have a hard time banging on them sometimes, but they are making money hand over fist. When oil prices go down, their rates do not go down. They are making lots of money, as well as lots of other businesses here. I think it is time that workers get a fair share of that pie. Thank you.

Council Chair Rapozo:

Councilmember Kualii.

Councilmember Kualii: I just want to say that I am hopeful that with a little more time and with a little more information that I will be able to provide all the data that you need to get to the point of supporting this in a week or two (2). I did choose to put the four (4) issues together in one (1) resolution to respect our Council's time and to make it in general about working families in Hawai'i and economic justice. None of these issues are actually new in any way. The Legislature has looked at the minimum wage, they have had the discussion, and they have taken some action. I just think that the discussion needs to continue and they need to take further action. They have taken action that gets us to ten dollars and ten cents (\$10.10) in January 1, 2018. What happens in 2019 and 2020? Some of the salaries that you are quoting today will inevitably go up, especially those that are represented by unions, because thankfully they have the right to bargain and ask for more. As the cost of living goes up, people's salaries need to go up. Thankfully, that is what typically happens in unions, with the cost of living adjustment and some kind of raise. The Legislature has considered it. We and many from the community, as I do, believe that they need to continue working on that. Yes, fifteen dollars (\$15) would not be a living wage *per se* in Hawai'i, but it would get us closer. Let us remember that as workers, especially the lower-level workers, the minimum-wage workers; as they earn more, they are spending more. They need that consumable income to spend and if they have a little bit more and maybe they can afford to eat out once a while, maybe they will go to KCL and support those small businesses. I think we will also hear from small businesses who understand that as the workers earn more, they can spend more in the community. Yes, let us take a little more time. If we need some data, I think we

can get that data. There are some of the standard scares, “Oh, if you do this, the sky is going to fall in,” that we have heard probably for the last twenty (20) years if you have been part of the labor movement and it never comes to be true. We are talking about setting a minimum standard and approving the lives of the lowest paid workers in our society and in our community. By helping lift them, we lift our whole community. I think you will see that these four (4) issues—the last issue about the right to organize and supporting unions, collective bargaining, and working families in Hawai‘i—that already exists, so I am just reaffirming that and having our State Legislature put a resolution, much like we do resolutions to support in concept, for our Legislature to do a resolution to support in concept for Federal for Congress, to take action and do improvements to the current federal labor laws. These four (4) issues are relatively basic. I have taken a lot of notes, as far as some of the concerns that we have. In our coming meeting, if this gets referred to the Economic Development & Intergovernmental Relations Committee like the other two (2) issues, it would be the Committee that I Chair and I would be more than happy to provide all that information there. Ultimately, I would really be asking for unanimous support and that we think ahead. We are looking at 2019—even the SR salaries that you list today...maybe the contract already lists the next two (2) or three (3) years so we know and we could probably project for 2019. As far as the County and paying wages, it is the most basic and important expense that we as a County have. Whatever means to cover the workers that service our constituents, that is our first responsibility. Thank you.

Council Chair Rapozo:

Thank you. Councilmember Yukimura.

Councilmember Yukimura: I want to make a motion to refer this to either the Council Meeting of October 7<sup>th</sup> or the Committee Meeting of October 14<sup>th</sup>, with a public hearing on September 16<sup>th</sup>. I would like your input as to whether you want it back in Committee...it is not in Committee, so you want it referred to Committee first or straight back to a Council Meeting? Any feedback?

Council Chair Rapozo:  
Kuali‘i?

What is your preference, Councilmember

Councilmember Kuali‘i: I know it is a resolution, so it does not have the same time restraints or need for quick action, but we will be dealing with the fifteen dollars (\$15) an hour and the paid sick leave, which are two (2) of the issues here sooner. Correct?

Council Chair Rapozo:

Yes, for the HSAC Package.

Councilmember Kuali‘i: Yes. So if we could deal with this immediately after that, it will not be too long that we are rehashing the same discussion, if you will.

Council Chair Rapozo:  
then we can have a discussion on all the items.

Let us just refer it to the Committee, and

Councilmember Yukimura:

With a public hearing on September 16<sup>th</sup>?

Council Chair Rapozo:

We could do a public hearing on the 16<sup>th</sup>.

Councilmember Yukimura: There will be a lot of people gone on the September 23<sup>rd</sup> Committee Meeting, that is why I was looking at the following...

Council Chair Rapozo: October 7<sup>th</sup>.

Councilmember Yukimura: Yes. Okay, so a motion to refer takes precedence, so I was going to do it that way. We can just do a referral to the Committee, and then...

Councilmember Yukimura: We have to set a public hearing for the 16<sup>th</sup>.

Council Chair Rapozo: We can set the public hearing at the Committee Meeting, right?

Councilmember Yukimura: Because we have notice requirements, Chair, it is better to set it now.

Council Chair Rapozo: That is fine.

Councilmember Yukimura: Otherwise, there will be more delay.

Council Chair Rapozo: That is fine. Just do the motion to set a public hearing.

Councilmember Yukimura: So move to refer to the Council Meeting of October 7<sup>th</sup> with a public hearing to be scheduled for September 16<sup>th</sup>.

Council Chair Rapozo: Hang on. Refer it to the Committee Meeting next week, so the motion should be to refer to the EDIR Committee Meeting next week with a public hearing scheduled for September 16<sup>th</sup>.

Councilmember Yukimura moved to refer Resolution No. 2015-57 to the August 26, 2015 Economic Development & Intergovernmental Relations Committee Meeting, that it be ordered to print, that a public hearing thereon be scheduled for September 16, 2015, and that it thereafter be referred to the October 7, 2015 Council Meeting, seconded by Councilmember Kagawa.

Ms. Fountain-Tanigawa: Just to clarify, the public hearing would be scheduled for September 16<sup>th</sup> and the Committee Meeting of August 26<sup>th</sup>.

Council Chair Rapozo: Yes. At the Committee Meeting next week, we will send it to the Council for the October 7<sup>th</sup> Council Meeting. That will be after the public hearing. I know we are running a little late, but I just have a few comments. I want to support this. I think it is definitely something that we need, but there are some concerns. Kaua'i is not San Francisco, Los Angeles, and everywhere else that have huge based populations or a lot of people. We have a lot of small businesses here as it relates to the business climate here on Kaua'i. I know we have support from UPW and HGEA, and I am sure we will get support from every labor union, but I think Councilmember Kagawa brings up a really good point. On an employee that makes twenty-four thousand dollars (\$24,000) a year in the Collective Bargaining Agreement, that equates to about eleven dollars (\$11) or eleven dollars and fifty cents (\$11.50) an hour. Obviously, all of those ranges would be advance to fifteen dollars (\$15). What happens to the other pay scales throughout that contract? For the person that makes fifteen dollars (\$15) or sixteen dollars (\$16) now, because the minimum wage went up to fifteen dollars (\$15), does that push the whole scale? I am curious to hear from the unions, and maybe we can



send them a communication asking them to be here next week, but what is their forecast of the impact to the County salary-wise? I think that is a good start. We can figure that out because someone here in Finance or Human Resources (HR) could do a really good projection. Let us say you went from fifteen dollars (\$15)...you went from...whatever that percentage increase is from eleven dollars (\$11) to fifteen dollars (\$15), would the unions expect that same percentage increase for all of the other paygrades? If they do, how does that impact the County? That is my concern. We have to be realistic. That is a big concern. If the unions are going to say, "No, we are just going to move everybody up to fifteen dollars (\$15) and keep everybody the same," which you know that is not what they are going to do, then I can see that it is a much smaller impact. But if everybody on the scale gets elevated proportionately higher, it is going to be a major impact to the costs to the counties. The other thing I would like to see is inviting our Delegation. The paper is going around, "Please write down who you want to see here," but ask our Delegation to be present here as well, because I think this discussion has been heard many times at the State. They have had meetings. I am curious to hear what their thoughts are. I am sure they have been privy to some conferences or presentations by economists. I would be curious to hear what their position is on all of that. It is a tough dilemma to be in because seven dollars (\$7) an hour is just not cutting it. Councilmember Hooser is correct; we have people working three (3) jobs, working more hours than they can be awake. That is just the way it works, which is not right or not fair. Many of these companies that are paying the minimum wages can afford more and they just choose not to. The managers and owners are driving up in their Mercedes and big SUV's and the poor guy is catching a ride because his car broke down and he cannot even pay for a tire; that is not fair. The other thing, too, that we have to be real careful of is that there are many occupations on the island, including at the hotels now where they are paying bellmen and servers minimum wage, but they are making one hundred fifty dollars (\$150) to two hundred dollars (\$200) a day in tips. There has to be some kind of balance. Are you going to pay those people fifteen dollars (\$15) an hour and the hotel keep the tips? No. This is not simple. There are a lot of moving parts. I work at the hotel; I am not ashamed to say that I have a second job. They are paying me eighteen dollars and thirty-three cents (\$18.33) an hour to be the Night Auditor. The bellmen and servers make minimum wage, but some of them go home with one hundred fifty dollars (\$150) to two hundred dollars (\$200) a day in tips. If you ask them, "Do you want that situation or do you want fifteen dollars (\$15) an hour?" Guess what they are going to take? They are going to choose to stay in the same position that they are at. There are a lot of discussions. That is why I am saying the economies of scale when you are looking at industry wide in the island, Kaua'i is a much smaller base than if you look at somewhere like Honolulu or San Francisco. We are different and we have to make sure that we look at things differently when we do things like that. Philosophically and conceptually, I definitely agree with this and I believe it needs to move. But to move something that knowingly would impact the County in a way that is going to affect the residents, then that also has to be taken into account. Anyway, with that, roll call.

The motion to refer Resolution No. 2015-57 to the August 26, 2015 Economic Development & Intergovernmental Relations Committee Meeting, that it be ordered to print, that a public hearing thereon be scheduled for September 16, 2015, and that it thereafter be referred to the October 7, 2015 Council Meeting was then put, and carried by the following vote:

FOR MOTION:

Hooser, Kagawa, Kaneshiro, Kual'i'i,  
Yukimura, Rapozo

TOTAL – 6,

AGAINST MOTION:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Chock	TOTAL – 1,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Council Chair Rapozo: Thank you. Next item, please.

There being no objections, C 2015-225 was taken out of the order.

COMMUNICATIONS:

C 2015-225 Communication (07/31/2015) from Dr. Dileep G. Bal, Kaua'i District Health Officer, State of Hawai'i, Department of Health, requesting agenda time to provide a briefing on Tropic Care Kaua'i 2016: Councilmember Kualii moved to receive C 2015-225 for the record, seconded by Councilmember Kaneshiro.

Council Chair Rapozo: Dr. Bal, can you come up front with your guests? I will suspend the rules with no objections. I apologize for the fifteen (15) minute delay. Thank you all for being here. Can you start off by introducing each of yourselves for our captioner, and then we can proceed.

There being no objections, the rules were suspended.

DR. DILEEP G. BAL, Department of Health Kaua'i District Health Officer:  
Let me introduce all of them, then we can handle business. With me is Caption Roodhouse-Hintz from the Pentagon. She is the overall program officer. Next to her is Captain Moore, who is a Project Manager. I also have my principal on this project, Toni Torres, but Toni is in Honolulu, so I have two (2) other senior colleagues of mine: Sheryl Keli'ipio, who is the Director of Family Health, and Jackie Teves, our new Head of Administration. Chair, I was going to begin with an apology, but the apology was for Councilmember Chock who is not here. Let me just say that he had a constituent complain and we usually fast track stuff that the Council sends us, but this particular one was something that was the *kuleana* of Honolulu. I do not know if the Council remembers, but drinking water was pulled from us when we had twenty (20) layoffs under Governor Lingle. I eliminated my engineer position and it is handled out of Honolulu. They are not quite as swift as our people are when the Council makes the request, so my apologies on behalf of the department, Chair.

Council Chair Rapozo: No problem.

Dr. Bal: I will be very brief and I will let our visitors talk. Basically, to recap, the Councilmembers have all been very, very supportive of Tropic Care 2012 and 2014. Basically, my colleagues and I submit an application to the Innovative Readiness Training group in the Pentagon and they have been kind enough to award us the funds for a medical mission in 2012 and 2014. They have given us a mission in 2016 and have awarded it. As the Council is very aware, Chair, everything is subject to availability of funds in the fiscal year, as you know begins October 1<sup>st</sup>. Captain Roodhouse-Hintz reminds me of regular intervals that there is a caveat and I have enough caveats at our level from (inaudible) and Honolulu, so I am aware of the caveats. No pressure to Captain Roodhouse-Hintz, but we also put in an application for 2017 and we hope they fund us for 2017 because medical missions are being permitted, which they were not funded for this year, 2015. The Council, I will tell the two (2) captains, has always been very supportive of our efforts; the Council has uniformly been very supportive of the

efforts. They have been supportive of the Mayor's effort to have free bus service. They have been supportive in terms of resources. Again, Chair, on behalf of the department, I thank you and the Council for your past, present, and future support. That is my brief. I will respond to questions, but I think Captain Roodhouse-Hintz will make a presentation, and then perhaps Captain Moore.

Council Chair Rapozo:

Thank you, Dr. Bal.

Dr. Bal:

You can press that there or move here.

REBECCA ROODHOUSE-HINTZ, Captain, Program Manager: Good morning everybody. Thank you for welcoming us back to your beautiful island of Kaua'i. As Dr. Bal stated, my name is Captain Rebecca Roodhouse-Hintz and I am here on behalf of the Office of the Assistant Secretary of Defense (OASD), as well as Lieutenant Moore and the National Guard Bureau at the Pentagon and (Inaudible) Air Force Base. This will be our third event here and the Air Guard will be leading it. We are very excited to be returning and to be able to provide patient care to your population, which would include optometry services, dental services, and general medicine. All the various different components will be participating, although the Air Guard is the lead; the Navy, Marines, Army Reserve, and Army Guards should be expected to be here as well. We are approximating somewhere around two hundred (200) or so troops to arrive. I think there are lots of good things that can be done. Dr. Bal mentioned and reminded us that last year when the Army was the lead, I think somewhere around twenty-two thousand (22,000) visits occurred, as far as patient care is considered. We are hoping that we can provide the same, if not more, this next time around. As far as OASD is concerned, the beauty of Innovative Readiness Training is that it does come with funding. They are expecting to receive somewhere around sixteen million dollars (\$16,000,000) to eighteen million dollars (\$18,000,000) in funding this year. Each year, there is concern as far as what will be provided related to the budget, but it has always pulled through, so we are hopeful that we again this year, as in past years, get the funding that is needed. We made it through the government shutdown the year before last, and we still got the funding needed. It did not arrive until two (2) weeks prior to the mission, but we made it happen. Are there any questions?

Council Chair Rapozo: I just have one before I open it up for questions. Who makes that determination on the funds being released?

Ms. Roodhouse-Hintz: Well, OASD receives them and beyond that, Congress is the one that appropriates it to OASD.

Council Chair Rapozo: So we should probably lobby our Congressional Delegation and encourage them.

Ms. Roodhouse-Hintz: Yes, Sir.

Council Chair Rapozo: I think that would appropriate.

Ms. Roodhouse-Hintz: Yes.

Dr. Bal: Chair, if I may, it is an excellent question. We have been particularly careful to make sure that...I do not think that OASD likes to even think that we would ever pressure anybody in any form or fashion, but let me mention that at 1:30 p.m., we are meeting with the Mayor, and

Congresswoman Gabbard is coming to my office at 2:30 p.m., so Tulsi will be aware of it when she sits on our services committee. So I would absolutely support...I do not think there will be a problem. If there is a problem, I am sure the Council will suggest to Congresswoman Gabbard that this is something that has served our population well.

Council Chair Rapozo: In light of the discussion that we just had before this item with the minimum wage and talking about the amount of families here, what you folks have done the last two (2) times here with so many people, out of the twenty-two thousand (22,000) visitors in the last one; you put a dollar number to that and it is definitely money well spent, but more importantly is the discovery of illnesses and conditions that would have never been found if not for this program. It is just something that we will do whatever we have to do to keep it. I know the participants enjoy coming here because it is a great place to do these clinics and the weather is conducive to doing these clinics. Everybody wins—the training, and then the people get the medical benefits. We will definitely pursue some kind of strong-arm letter to our Congressional Delegation.

Ms. Roodhouse-Hintz: It is especially rewarding to see. We have done several of these projects and all the various different communities are appreciative, but both Dr. Bal and his team is very passionate about the people here on Kaua'i and very receptive to ensuring that we are provided the resources needed, as far as transportation or whatever, and that certainly helps facilitate this effort. Like you said, it is symbiotic in nature. Not only do we provide patient care, but there is a training element there that is received and then also it is joint forces, so we learn to work in harmony among the various different components, and also with the community. It is a very beautiful program. Not to be overlooked, by the way, is Captain Moore. He is actually one that is going to be making a lot of this happen. He is a very important piece of the program.

Council Chair Rapozo: Captain Moore.

DAVID MOORE, Lieutenant, Program Manager: I am Captain Moore from New Jersey, so this humidity is really getting to me, but it is beautiful. As you can see, we are using camouflage to blend in. Thank you for welcoming us, and Dr. Bal especially has been very engaged with us early on, which is refreshing, so it helps us do the planning earlier and deliver a better mission for you. For your situation and awareness, we had record applications from units, at least on the Air Guard side for this coming year. We had one thousand five hundred (1,500) personnel interested, thirty-five (35) units, which is unheard of, so word has spread about the Tropic Care and we are going to have some excellent personnel here to provide services. Thank you.

Ms. Roodhouse-Hintz: It just so happens that Hawai'i is a pretty cool place for people to come.

Council Chair Rapozo: Councilmember Kaneshiro.

Councilmember Kaneshiro: Thank you for being here. I guess my question is when and where will the program start or estimated to start?

Dr. Bal: Do you want me to answer that?

Ms. Roodhouse-Hintz: Sure.

Dr. Bal: Basically, the way it goes is between now, it will probably be the same time as the last time. The genesis of the location, the first year of Tropic Care 2012 we had was in March and we housed them at the Hanapēpē Armory and the Kapa'a Armory. The Kapa'a clinics were at All Saints Church, which happens to be my church. It was held at Kaua'i Community College (KCC) for the Līhu'e site. We used the Hongwanji right next to the Hanapēpē Armory as a site. This was a pre-meeting. Captain Roodhouse-Hintz, since they are at the Pentagon, have decided to give us the reward and before they name an officer in charge, which would probably be a medical colonel, they wanted to just come and look at the waterfront and see different options. They are going to do things a little differently than they did in 2012 and 2014. In 2014, we had them all stay at the Marriott. They are evaluating different options in terms of costs, so we are really happy that they made the trip. It will probably be what we did in 2014, from June 17<sup>th</sup> to July 2<sup>nd</sup>. It is a fortnight long period, so fourteen (14) days. They do the setup on the first day and on the last day they do the take down. The duo of captains has had a series of meetings. Yesterday, we met with Hawaii Air National Guard (HIANG) and met with the Deputy Adjutant General in Honolulu to see what of their assets they will make available to them. What is not available locally, Captain Roodhouse-Hints will make sure they have it shipped in. They have a stated preference to being in the armories. As you know, the Kapa'a Armory is now leased to you guys, so I am going to suggest the Mayor at 1:30 p.m. that the part the police are not using they will use. They are going to look at everything tomorrow. The sites will probably be the 2014 sites. It is preliminary until they look at them, approve them, and go through the costs. It is probably going to be KCC in Līhu'e, 'Ele'ele School for the west side, and Kapa'a Middle School in Kapa'a. The reason why there are variables in Kaua'i is because we could not have the Hongwanji because it interferes with Bon Dance; it has to be in the middle of June because that is when Superintendent Arakaki can give us free facilities', which the State loves free facilities. I have to add again that the State has been very supportive. I think the Governor himself has been supportive. I think the first lady is going to take a personal interest in this. They have given me funds to make sure we go on KONG Radio and advertise it. On the twenty-two thousand (22,000), very basically—no credit to me; credit to these guys and credit to those guys—the twenty-two thousand (22,000) in 2014 visits is a (inaudible) visits...the nine thousand five hundred (9,500) discreet (inaudible). The twenty-two thousand (22,000) exceeded the entire count for Tropic Care 2012 on Kaua'i, the entire count for Tropic Care 2013 in Maui, the entire count for Tropic Care 2013 on Hawai'i island put together. Part of that was because of the State's effort and KONG Radio. All of you know them well. We did a lot of publicity and it worked out. The pressure is on because we are the benchmark. Captain Moore, Captain Roodhouse-Hintz, my colleagues, and I want to beat our own record.

Councilmember Kaneshiro: Thank you. Hopefully if all goes well, it can happen in June 2016/July 2016. The last time you were here, I heard nothing but good things, so I think it was a real benefit to the island. Thank you everybody for coming down. It was great. I heard a lot of very positive comments.

Ms. Roodhouse-Hintz: We were just going to petition that maybe this becomes a new part of our uniform because I really like the color.

Council Chair Rapozo: It looks good.

Ms. Roodhouse-Hintz: We are very excited to return in June, as well as the other services. Thank you.

Council Chair Rapozo: Councilmember Kualii.

Councilmember Kualii: I kind of have a quick question. In the experience from the past, what has the wait times been like and can the radio station and stuff help in a way where it will kind of encourage people to go when you are less busy and people have to wait less long?

Ms. Roodhouse-Hintz: That might actually be a better question for Dr. Bal.

Dr. Bal: Yes, I will have Sheryl Keli'ipio answer that because she was site manager on one and she will tell you the difference between the two (2) years.

SHERYL KELI'PIO: Sheryl Keli'ipio. We have gotten better and we figured out how to do it. I think the people themselves, the community, has too because the first three (3) days of the last one was very slow. We could not seem to get everybody in, and then the last three (3) days was back to that jamming. We found it working better with KONG Radio where they would announce where it was slower and that people could go to this site if they had less of a line. We also had this last time more specialty clinics, a traveling mobile, that was specific for special populations that was harder for them to come in with the big group and wait all day if they needed to, so like your special needs people and elderly, and they plan to do that again, too. I think the best way was working with KONG and letting people know which sites and what time, and letting them know that it was slow and to not wait for the last few days, which is when the community started to pour in again. I think the community gets better at it, too.

Councilmember Kualii: So not waiting for the last few days is probably pretty important.

Ms. Keli'ipio: Yes.

Councilmember Kualii: Because I know how I am with procrastination and stuff.

Ms. Keli'ipio: Yes. Again, it is the advertising upfront and letting everyone know not to wait. I think what they did, because in the first year, there was from the very first day so many weeks and they thought if they wait until the end it will be slower, and it was just the opposite.

Councilmember Kualii: I do want to say *mahalo nui loa* for what you have done in the past and for what you will do for our people again. Thank you very much.

Ms. Roodhouse-Hintz: There is one quick thing that I would like to mention. Just to reiterate, and maybe to get the word out now that you have more experience with the programs since we have been here twice, but we are certainly not here for practice, even though the word "training" is used. The individuals who come here are licensed and skilled professionals and a lot of these people are reservists and they actually own their own practice outside and beyond the military.

So if you hear people say that the military is coming here to “practice” on people and use them as “guinea pigs” or whatever it may be, that is not what we are doing. There are very, very highly skilled professionals that we are bringing in. It is more of an opportunity just to assimilate a deployed environment and to see how we can work together with the community and adapt and commingle among the various different components as well.

Council Chair Rapozo: Thank you for clarifying that.

Ms. Roodhouse-Hintz: It does come up sometimes.

Council Chair Rapozo: Councilmember Kagawa.

Councilmember Kagawa: Thank you, Chair. Just to clarify, you said the cost of this whole operation is about eighteen million dollars (\$18,000,000) to service Kaua‘i?

Dr. Bal: Councilmember Kagawa, that is where it gets a little tricky because the Pentagon numbers will be rather lean in what they say. The overall budget was what? Forty-five million dollars (\$45,000,000)?

Ms. Roodhouse-Hintz: Our overall budget that we are expecting is eighteen million dollars (\$18,000,000).

Councilmember Kagawa: For Kaua‘i?

Dr. Bal: How many sites are you doing, just to put it into context?

Ms. Roodhouse-Hintz: Approximately thirty (30) to forty (40).

Dr. Bal: Okay. Councilmember Kagawa, from their perspective, they spend about five hundred thousand dollars (\$500,000) a site, but the Return On Investment (RIO) on that...that is the point we make privately—Dennis and I will make it privately to Tulsi and we would also tell Congresswoman Gabbard in the meeting is that the ROI is massive because I sat down and calculated with my colleagues. If you look at the costs for us, street value, of last time there were five thousand (5,000) pairs of custom spectacles given to people. If you see what our ‘ohana would have to pay for that in street rates...if you take a look at dental visits...dental visits to some extent understate the problem. One person...I do not know how the heck he did it, but on one sitting, the poor child had seven (7) cavities filled. It is counted as one visit. If you add all that up, we came up with a figure between, and again it is an estimate, between eleven million dollars (\$11,000,000) and about fifteen million dollars (\$15,000,000) to seventeen million dollars (\$17,000,000). My Pentagon colleagues who are strict constructionist say, “Well, we cannot give you a number,” and I understand that, because we look at the relative value scale of what it would cost to get that at street levels. To me, I think that is a fairer comparison, which is why I think any help that any of you can give...if the measly...if this eighteen million dollar (\$18,000,000) appropriation is a drop in the Pentagon bucket; and in my opinion, just Dileep Bal’s private opinion, you get over one hundred million dollars (\$100,000,000) return for our ‘ohana and for thirty (30) other sites. It is probably the single most cost beneficial project that the Pentagon has.

Councilmember Kagawa: Yes. So I guess the answer to my question was no. The eighteen million dollars (\$18,000,000) is not only for Kaua'i.

Ms. Roodhouse-Hintz: The reason I initially said that is because I thought you were referring to my first statement where we are expecting somewhere around eighteen million dollars (\$18,000,000) or so to be funded by OASD, but according to what Dr. Bal just said, based on those calculations that they last year for their return on investment, it does sound like it is somewhere around eighteen million dollars (\$18,000,000). I do not have that paperwork in front of me, but that estimate seems to be accurate.

Dr. Bal: The low-end would be about eleven million dollars (\$11,000,000) and the high-end would be...you pick it...because knowing how much my medical brethren charge people nowadays, you can get a pair of spectacles for two hundred fifty dollars (\$250) up to one thousand dollars (\$1,000). I pay the vision services plan that the State provides and I still pay a co-pay of six hundred dollars (\$600) for one lousy pair of spectacles.

Councilmember Kagawa: My next question is related to when you talked about dental a little bit. Just for the public's information, the dental work entails cleaning, x-rays, and fixing cavities? Can you give a brief description?

Ms. Roodhouse-Hintz: That is correct. It is a wide variety of services like orthodontics, x-rays, cleaning, and restorative care.

Councilmember Kagawa: What about root canals?

Ms. Roodhouse-Hintz: Did they do root canals last year? It varies on the project.

Dr. Bal: It varies on the project. Councilmember Kagawa, basically anything that does not require general anesthesia, so if they can do it with local infiltration, they will do it.

Councilmember Kagawa: Okay. Thank you for clarifying that. I know that one of the major problems with our low economic population is lack of providers that are willing to service them, so I think Tropic Care is really great for that segment of the population. I actually went out to the Kapa'a site just to physically see for myself and I saw a lot of people that were really thankful that you were able to check out their teeth. I want to thank you for what you do.

Ms. Roodhouse-Kintz: Thank you very much for the opportunity.

Councilmember Kagawa: Thank you, Chair.

Council Chair Rapozo: Anyone else? Councilmember Yukimura.

Councilmember Yukimura: I want to thank you all also. This is such a tremendous gift to our community and we do have a lot of people who need services and do not have money often to avail themselves. So to have the kind of expert service is really a huge gift. I want to especially thank you, Dr. Bal, for first making the connection to see what benefits could be brought to the island and to make that connection and bring the first Tropic Care down. So now we are beneficiary for so many years now. I also just want to say that when you calculate return on



investment, it is not only the value of the services, but I know of one case in particular where it saved a life, that because of the information she was able to follow-up and get a diagnosis and it revealed a very tenuous heart condition, I believe. Anyway, because of the expert guidance that she got from Tropic Care, she was really able to discover this problem and get the kind of expert care she needed. How do you value a life? It is really far beyond what you can calculate. Thank you.

Dr. Bal: Councilmember Yukimura, that is very true. Let me just mention that the major focus based on consumer need in Kaua'i has been dental and optometric. General medical care has been a little at the back of the bus, but you are absolutely right. Sheryl can correct me on the number, but I think we had about eighteen (18) or twenty (20) of those where out of the medical clinics they discovered something early, and then shipped them immediately to Wilcox or to Queen's. It is an early detection device for where you need acute care in other circumstances.

Council Chair Rapozo: Any other questions? If not, thank you very much. I think Councilmember Yukimura talked about—that kid with the seven (7) fillings—the future costs that were saved, obviously saving his teeth...probably without Tropic Care, he or she would never have gotten any type of dental service. It is just a great service and we appreciate that. I cannot imagine anybody not wanting to come here for this mission. I retired from the Air Guard and I remember going on deployments in Korea and in certain parts of Korea there were more applicants than positions, and then of course there were some that nobody applied and they got directed to go. There is a mountain in Korea that is just a mountaintop where you sit there and watch a radar site twenty-four (24) hours a day. Nobody wants to go there. I can imagine how many people want to come here. I do think it is important that you did clarify that these are well-trained professionals that are here. In this case, it is not "you get what you pay for"; it is actually the complete opposite where we get top quality physicians and dentists. I think you even had a veterinarian here last year. Did you not have a veterinarian come down last year?

Dr. Bal: Right.

Council Chair Rapozo: But he was not working on humans, right?

Dr. Bal: He was actually the administrative office. Since he was there, he took care of a couple of horses on the side.

Council Chair Rapozo: Yes.

Dr. Bal: Chair, when talking about things outside of medicine, Captain Roodhouse-Hintz also has projects that deal outside of medicine, engineering projects. I think the Council will remember in 2012 that I got in touch with Douglas Haigh and had the County apply for the spur on Ke Ala Hele Makalae, I think up Kawaihau Road. They applied and the Pentagon people were kind enough to fund it. I think it was quite heavy funding. The problem is that they provide the person-power, but they do not pay for equipment and the materials, so the County and the State were paying for the spur that goes up from Ke Ala Hele Makalae up to Kawaihau Road. A lot of the materials were due to be from the Department of Transportation, Federal government. These guys were really good. They had everything lined up. I talked to Doug Haigh the day before yesterday. Three (3) years later, the Department of Transportation is always a

little late, so Dough promised me that before I retire next year, they are going to get that one done.

Council Chair Rapozo: Do not hold your breath.

Dr. Bal: These guys are really good. In other words, their portfolio includes well over just medical, dental, and optometry. I just want to point that out.

Council Chair Rapozo: Thank you very much. You obviously have the complete support of the County and I am sure the Mayor will share the same gratitude. We are looking forward to a very successful Tropic Care 2016. Hopefully we can service maybe twenty-five thousand (25,000) people. You also did a lot of kids last year who needed their athletic physicals to play Pop Warner football and baseball. Medical coverages here allow one (1) physical per year and they get their school physical, and then the year lapses and they do not have another physical, so you folks provided that for a lot of these kids that otherwise would not have been able to play sports. Thank you so much. I am sure we will be hearing from you folks again soon.

Dr. Bal: Thank you, Chair. We might request time on the agenda in October when they will bring the larger group, the operational group, and we will be going into some of the details. If the Council wishes, we would be happy to come back to give you an updated report at that time.

Council Chair Rapozo: That would be appreciated. Thank you very much. Anybody in the audience wishing to testify on this?

Ms. Fountain-Tanigawa: We have one (1) registered speaker. Matt Bernabe.

Council Chair Rapozo: Mr. Bernabe.

Mr. Bernabe: My family and I actually have really good medical and even for people that have good medical—I did not go to the first one during the rainstorm that was down at the church for Kapa'a. My daughter and my wife went and they did the regular stuff. They actually figured out for us...we were having a problem with my daughter. She had bad knees and I thought it was from a soccer injury and I was worried because she cuts trails and rides motorbike. They figured out that she had overdeveloped a group of muscles from pushing that bike through the swamps and cutting trails with me. We actually had to go and work out the other set of muscles. That was really good. We did not figure that out at the regular doctor even though we had good insurance. The other thing was that I got convinced to go the second time and this is actually a pair of glasses from you guys. I hardly use these. I have glasses at home when I watch television, but other than that—in here they have small font and I sit in the back row to read. I keep these in the car, so how ironic that I only started using them the other day because I was getting headaches from reading everything, so I decided to wear them. This is actually a pair of glasses that I got. My wife and I have matching pairs; I think I have the black one and she has the brown one. I just wanted to tell them thank you. As a taxpayer, somebody who puts money in all levels of taxes, I get frustrated when the Pentagon spends money for the military industrial complex on obsolete boats or planes or when the general says we do not need the tank and they still spend it. I really like when we allocate money to keep these guys in readiness

perfection, so in case they have to respond to something, that they are reinvesting the money that we are investing in them. It is kind of like a feedback loop. I really appreciate this kind of outreach and I will have my daughter "Instagram" Tulsi. They all have Instagram nowadays. We will tell them to keep it up. Thank you.

Council Chair Rapozo: Thank you.

Dr. Bal: Chair, we should use him as a spokesperson with Ron Wiley.

Council Chair Rapozo: He does not need a mic. Anybody else wishing to testify? If not, I will call the meeting back to order. Further discussion? Councilmember Kagawa.

There being no objections, the meeting was called back to order, and proceeded as follows:

Councilmember Kagawa: Thank you, Mr. Chair. At the County level when we talk to our taxpayers and citizens, they always want to know how are their taxpayer moneys being used, and a lot of times we at the County level get that direct question and it is tough to answer when their property taxes go up. "How do you justify that? What are we going to get out of paying more taxes?" Seeing shorter landfill hours or whatever, they complain and sometimes it is hard to answer. On the larger scale, we pay a lot more taxes to the State and to the Federal government, and a lot of times when you think about it, the Federal government does not talk to Tulsi or they do not talk to other congressmen and congresswomen and get that opportunity to say, "Where do all those Federal tax dollars go?" Obviously, we know that a lot goes to military defense to keep us safe, but when we have opportunities like this, I think it actually provides me with comfort that at least some portion of our Federal tax moneys are going back to the people and this is definitely one case where I am really glad for the people of Kaua'i that we get this opportunity and I hope it never ends. Once every two (2) years, it gives any one of us the opportunity to go and check your eyes. I went and I did not disclose that. Two (2) years ago, I went to check my eyes because I have been noticing trouble reading my phone and reading small words. They were really professional. They had that technical equipment that could look in my eyes and they assured me that all I needed was a pair of reading glasses. I just want to thank them for their service. I think two (2) years ago, I made it a point that I wanted to experience it and I think being that we know it is an important part, I would encourage anybody, in whatever class you are, to go and take advantage of it. I think they are there, so let us utilize them because it is a great service. I just want to thank everybody associated with Tropic Care and I hope that it can continue forever. Thank you, Chair.

Council Chair Rapozo: Thank you. Any other discussion? If not, again, thank you very much for being here. I think it works well for both sides. You folks get the necessary training, and again, not the "practicing on guinea pigs," but the organizational and coordinating training for interagency and different branches of government. It is always a difficult thing, so this provides that training in a peacetime setting versus combat training. Also, we talked about the benefits to the County people. I know the Mayor was generous last time where he provided the free bus transportation. I think that helps as well when you can get people there, not having to rely on grandchildren to drive them there. The free transportation helps quite a bit and I am hoping that we can really broadcast that and advertise

these things and the benefits way in advance so that we can break the twenty-five thousand (25,000) barrier. With that, safe travels. Enjoy your vacation while you are here and your working time. We will probably see you folks in October. Thank you.

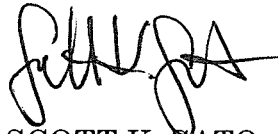
The motion to receive C 2015-225 for the record was then put, and carried by a vote of 6:0:1 (*Councilmember Chock was excused*).

Council Chair Rapozo: Motion carried. That concludes today's meeting. With no objections, we will adjourn this meeting. The public hearings are at 1:30 p.m., so please be back by 1:30 p.m. Thank you.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 12:24 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Scott K. Sato', written over a horizontal line.

SCOTT K. SATO  
Deputy County Clerk

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